

Estimating the Political Ideologies of Appointed Public Bureaucrats.
An Application to the Senate Confirmation of Presidential Nominees

Adam Bonica
Department of Political Science
Stanford University

Jowei Chen
Department of Political Science
University of Michigan

Tim Johnson
Center for Governance and Public Policy Research
Atkinson Graduate School of Management
Willamette University

ABSTRACT

This paper uses political campaign contributions to estimate public bureaucrats' political ideologies. Bureaucrat ideal points estimated via our method vary across time, compare meaningfully with ideological estimates in other branches of government, cover employees across a wide range of agencies, yield insight into intra-agency ideological variation, and are produced automatically from public records. To demonstrate our method, we estimate the political ideologies of appointed administrators in the U.S. federal government. We then use those estimates to test hypotheses about how U.S. presidents strategically manage the process of appointing individuals to federal bureaucratic posts requiring Senate confirmation.

Public bureaucracies figure prominently in modern states (Skowronek 1982; Wilson 1989; Moe 1997; Carpenter 2001, 2005). Not only has the capacity, purpose, and authority of public bureaucracies expanded over the past century, but so too has the political clout of those government organizations (Lowi 1969; Moe 1997). As noted by various scholars, public bureaucrats have used reputation (Carpenter 2001, 2010), expertise (Gailmard and Patty 2007), delegation (Eskridge and Ferejohn 1992), and electoral influence (Moe 1997; Anzia 2011) to cultivate opportunities to shape policy.

Yet, despite agreement about the public bureaucracy's growth and influence, it remains an open question whether or not public bureaucrats use their strategic location in the policy process for personal advantage. While some scholars propose that public bureaucrats use their positions for personal gain (Niskanen 1975; Moe and Miller 1983; Moe 2007; Anzia 2011), or to shift policy in their preferred direction (Epstein and O'Halloran 1999; Carpenter 2001; Huber and Shipan 2002), others hypothesize that bureaucrats implement policy faithfully in order to foster a reputation for expertise and neutral competence (Carpenter 2010; Huber 2007). Moreover, prominent scholars hold that politicians constrain public bureaucrats' efforts to deviate from policy orders. According to those scholars, politicians use oversight (McCubbins and Schwartz 1984; Weingast and Moran 1983; Aberbach 1990), the details of laws (Epstein and O'Halloran 1999; Huber and Shipan 2002; MacDonald 2010), procedural rules (McCubbins et al. 1987), organizational structure (Moe 1989; Hammond and Miller 1985; Hammond 1986; Lewis 2003), and staffing (Lewis 2008) to prevent public bureaucrats from pursuing policies that significantly depart from the prescriptions of elected officials. Still others argue that politicians can gain by letting bureaucrats pursue their personal political agendas: wayward public bureaucrats provide politicians a means to "shift the responsibility" for policy woes (Fiorina

1985) and broader delegation of policy-making provides incentives for bureaucrats to develop technical expertise (Gailmard and Patty 2007). In sum, the theoretical literature on public bureaucracy has offered numerous hypotheses about when, why, and how public bureaucrats influence policy, and how politicians seek to constrain that influence.

Empirically testing these hypotheses, however, presents several challenges. The above hypotheses mainly derive from spatial models of politics. Spatial models posit that observable political behavior results from strategic actions that take into account the policy preferences of individual political actors. As a result, testing spatial models requires measures of political actors' ideologies. While legislators, executives, and judges routinely engage in publicly observable activities that reveal their policy preferences, the same cannot be said for public bureaucrats (Clinton et al. 2012). As a result, the development of quantitative measures of bureaucratic ideology has lagged behind the measurement of other political actors' ideologies.

However, over the past decade, scholars have developed increasingly innovative methods to measure bureaucratic ideology. These methods rely on a variety of data sources, including the past political decisions of administrative officials (Nixon 2004), expert opinions (Clinton and Lewis 2008), government employee surveys (Clinton et al. 2012), the political history of agencies (Lewis 2003, 2007, 2008), and the public statements of top officials (Bertelli and Grose 2009).

Although these methods have contributed greatly to efforts to empirically test the theoretical literature on bureaucracy, challenges remain. Current methods provide little insight into ideological variation within agencies and changes in agency political preferences across time. Moreover, they base their estimates on the stated values of public bureaucrats, which may contain "cheap talk," as opposed to bureaucrats' costly actions. Furthermore, state of the art

methods rely on labor intensive data collection, thus making it difficult to update ideal point estimates regularly. Together, these limitations continue to impede empirical studies of public bureaucracy.

This paper seeks to address those challenges by presenting a new method for estimating bureaucratic political ideologies. The proposed method tracks—from 1979 to the present—the campaign contributions of federal employees and individuals nominated to federal bureaucratic posts. It then uses those data to produce ideological measures that (i) yield individual-level ideal points for cabinet members, executive appointees, and many career bureaucrats, (ii) provide insight into ideological variation within agencies, (iii) vary across time, (iv) can be compared with the ideal points of actors in other branches of government, (v) cover a large number of agencies, and (vi) require little effort to update.¹

The paper also illustrates how these estimates can be employed to test hypotheses concerning the public bureaucracy. We enlist estimates of individual bureaucrats' political ideologies to study presidential appointments to the public bureaucracy that require senate confirmation. By studying the influence of previously overlooked institutional factors (e.g., committees, as well as the opportunity to avoid confirmation processes via unilateral, non-recess appointment), this investigation extends previous analyses of the politics underlying Senate confirmation of bureaucratic positions (Havrilesky and Gildea 1992; Barrow et al. 1996; McCarty and Razaghian 1999; Nixon 2004; Corley 2006; Black et al. 2007; see, for a review, Aberbach and Rockman 2009).

Put broadly, we find that institutions at each step of the Senate confirmation process influence the ideological distribution of successfully appointed nominees. First, we find that

¹ This method also produces estimates of the typical political ideology of an agency's bureaucrats (i.e. an aggregate measure of agency ideology), which we report in the appendix.

nominees for bureaucratic posts requiring Senate confirmation are more moderate than individuals appointed to posts that do not require senate confirmation. This finding illustrates that bureaucrats' ideologies are not merely a product of presidents' personal policy preferences; instead, the political leanings of bureaucrats also reflect the demands of Senators that wield their institutional power to block presidential nominees. Second, our investigation shows that the likelihood of Senate confirmation declines with the ideological distance between nominees and relevant committee chairs. Third, and finally, we find that the ideal points of recess appointees lean more strongly in the direction of the president's ideal point than do nominees that face Senate confirmation. It thus appears that presidents take advantage of Senate recess periods to push through ideologically extreme nominees. In sum, political actors at each institutional stage of the Senate confirmation process influence the ideological distribution of successful appointments.

In the following sections, we discuss our ideal point estimation methodology and substantive findings. We begin by reviewing past efforts to estimate bureaucratic ideology and by explaining how our method adds to those efforts. Next, we present our method, report results, and establish measure validity. With our new ideal point estimates in hand, we then illustrate their use by testing hypotheses about the Senate confirmation process. Following that illustration, we discuss how our estimates might be utilized in future studies.

Previous Efforts to Measure Bureaucratic Ideology

Despite their centrality in theoretical models of bureaucratic politics, researchers have struggled to produce reliable measures of public bureaucrats' political ideologies. As articulated by Clinton et al. (2012), the mere conceptualization of bureaucratic ideology poses challenges. For instance, should bureaucrats' political values be measured at the individual, bureau, or

agency level? What actions or declarations reveal bureaucrats' genuine policy preferences? To what extent do the ideologies of bureaucratic line workers matter, relative to the values of top administrative officials? These questions make the estimation of bureaucratic ideology difficult. Nonetheless, past scholars have made significant progress in addressing those questions and, in fact, the literature on public bureaucracy now offers several methods to measure the political ideologies of government agencies and their employees.

Early efforts to measure the political leanings of federal agencies relied on collections of nominal variables that captured insight into an agency's historical roots, organizational structure, or policy mission. Scholars using this approach, for instance, might create a binary indicator that takes a value of unity when an agency was created during a Republican presidential administration and a value of nil when an agency was created during a Democratic presidential administration (Lewis 2007, 2008). Lewis (2003) and Howell and Lewis (2002) have provided a theoretical rationale for this approach; they provide evidence that the history and design of agencies leave a lasting mark on those agencies' political orientation. As a result, indicators of agency history and structure offer insight into agency ideology. However, the historical factors that nominal variables use to capture agency ideology rarely contain the detail needed to convey ideological variation across time or within an agency. Also, since those variables place agencies into broad categories (e.g., created under a Democratic versus Republican president, or created under divided versus unified government) they do not readily lend themselves to testing theoretical predictions about bureaucratic politics that take into account the *degree* of ideological divergence between bureaucrats and other political actors (Ferejohn and Shipan 1990; Epstein and O'Halloran 1999; Huber and Shipan 2002).

Subsequent efforts to model bureaucratic ideology have addressed the latter problem by drawing on methods for determining the political ideologies of legislators, presidents, judges, and political interest groups (Poole 1998; Clinton et al. 2004; McCarty et al. 2006). Nixon (2004), for instance, identifies high-level bureaucratic officials who previously served in Congress and, then, uses estimates of those officials' political ideologies—while in Congress—to model their political values as bureaucrats. This approach offers insight into the political orientation of a select group of upper-level bureaucratic actors. However, like nominal variables that serve as a stand-in for bureaucratic ideology (Lewis 2003, 2007, 2008), the estimates Nixon (2004) puts forward are one-shot, cover a small number of bureaucrats, and cannot be used in applications seeking to understand ideological variation within a given agency.

A similar problem arises with expert surveys. Clinton and Lewis (2008) interviewed experts about the political orientation of 82 federal agencies and, with those survey data, estimated aggregate measures of agency ideology using item response models. While this method offered insight into the political orientation of a large number of agencies, it did not reveal agencies' cross-time ideological variation, nor did it produce estimates that could be compared with ideological measures capturing the ideology of other branches of government. Subsequent survey methods produced bureaucratic ideal points that can be compared across institutions (viz. Clinton et al. 2012), but they remain constrained in the temporal period that they cover.

Bertelli and Grose (2007, 2009, 2011) develop a method of estimating bureaucratic ideal points that vary across time and meaningfully compare across government branches. Their method uses the public pronouncements of top administrative officials to measure agency ideology. Specifically, Bertelli and Grose (2009) devise a coding scheme to categorize a vast

number of public testimonies made by public bureaucrats between 1991 and 2004. They construct roll call voting records for cabinet secretaries by treating announced positions as votes in support or against legislation and jointly recover ideal points for secretaries and members of Congress. While their approach is novel, they struggle to establish the face-validity of their measures. According to their results, cabinet members are unimodally distributed, with a mean near the center of the policy space, and there exists substantial partisan overlap; together, these properties suggest that appointees are considerably more moderate than members of Congress. In addition, their method produces questionable estimates for several prominent cabinet members.² The lack of face-validity fuels concerns about inferring ideology from bureaucrats' public statements, as opposed to their costly actions (cf. Snyder and Weingast 2000; Nixon 2004), which makes it difficult to distinguish cheap talk and strategic posturing from actual preferences.

An ambitious study by Clinton et al. (2012) is the most recent attempt to measure executive agency ideology. They administered a survey to thousands of Bush-era executives to gather information on those executives' policy preferences. The survey questionnaire included a series of policy questions carefully selected to match-up with specific Congressional roll call votes; these matches serve as bridging observations. Subsequently, they utilize a recently developed roll call scaling methodology designed to estimate ideal points for voters and legislators in a common space (Bafumi and Herron 2010; Jesse 2009, 2011; Tausanovitch and Warshaw 2012). While they report a respectable response rate of 33 percent, Clinton et al. (2012) note that high ranking appointees were less likely to respond to the survey. As a result, their sample includes only 181 political appointees, representing a small fraction of the total population of appointed officials. A major limitation of their approach is that measures are

² For example, Republican appointees John Ashcroft and Lynn Martin locate to the left of the majority of Democratic appointees, including Janet Reno, whereas Clinton appointees Bill Richardson and Andrew Cuomo locate to the right of a majority of Republicans.

recovered for a single period (2005-2006). In addition, administering large-scale surveys is resource intensive and, thus, difficult to update into the future. Also, it is not clear how such an approach could be extended into the past. More problematic, however, is that anonymity requirements preclude reporting individual level estimates for survey respondents. This impedes studies from focusing on specific decision-makers such as leaders within bureaus or agencies.

In sum, while previously proposed methods offer helpful tools for studying the political ideology of bureaucratic agencies and officials, limitations remain. No study has developed a measure of bureaucratic ideology that simultaneously varies across time, varies within agencies (including across individuals), compares with ideological estimates for political actors in other branches of government, and can be readily automated. In the next section of this essay, we present a method that meets these challenges. Our method captures individual-level bureaucrats' political ideologies, which allows future researchers to pinpoint the ideologies of bureaucratic actors responsible for decision-making in a given agency. In addition, as agency composition is not static, these individual-level estimates can offer insight into how the ideological composition of the agency changes across both time and levels of the agency's hierarchy. Moreover, our measures can be compared with the ideal point estimates of actors in other political institutions.

Estimating the Political Ideology of Bureaucrats Using Campaign Contributions

We construct measures of bureaucratic ideology from ideal points estimated using campaign finance data. This method enlists a dataset consisting of over 85 million contributions made during state and federal elections held between 1979 and 2012. Unlike roll-call scaling methods, which are typically confined to a single voting body, donors frequently make contributions to candidates across institutions and levels of the political hierarchy. Thus, the

method simultaneously estimates ideal points for a variety of elected officials and the millions of individuals who fund their campaigns.

The theoretical rationale for our measurement approach involves a simple spatial model. Put simply, this spatial model posits that ideological considerations determine—at least in large part—contribution behavior. Specifically, it assumes that contributors prefer ideologically proximate candidates to those who are more distant and distribute funds according to their evaluations of candidate ideology. Formally, a contributor i , considers the entire set of candidates soliciting donations, denoted as $\{1, \dots, J\}$. Contributor i selects the candidate, $j \in \{1, \dots, J\}$, whose ideal point, δ_j , maximizes the contributor’s objective function:

$$\arg \max_{y_{ij} \in \{1, \dots, J\}} \left[y_i \left(b_i(\cdot) - c_i(\cdot) - (\delta_j - \theta_i)^2 \right) \right] \quad 1.1$$

where y_i is the sum that contributor i has available to donate, δ_j is candidate j ’s ideal point, θ_i is contributor i ’s ideal point, $b_i(\cdot)$ is a payoff function capturing the combined instrumental and expressive utility derived from donating, and $c_i(\cdot)$ is the cost function. Together, $b_i(\cdot)$ and $c_i(\cdot)$ signal contributor i ’s propensity to contribute. Under this theoretical framework, contributor i donates to candidate, j , whose ideal point, δ_j , is closest to the contributor’s own ideal point, θ_i .

Ideally, we would model the determinants of contributions in a manner similar to Bonica (2012a), who uses an IRT count model to estimate ideal points from PAC contributions while controlling for non-ideological factors such as electoral competitiveness, incumbency status, or committee assignments. Unfortunately, computational costs preclude fitting a similar model to the much larger data set of individual campaign contributions, which we use here. We instead base our measures of bureaucratic ideology on Bonica’s (2012b) common space CFscores (“Campaign Finance Scores”) methodology designed to scale the much larger dataset of

individual donors. The method uses an augmented form of correspondence analysis (Benzecri 1969, Greenacre 1984),³ which scales two-way frequency tables by decomposing a transformed matrix of χ^2 distances (hereafter, we refer to correspondence analysis as CA). CA is attractive because it offers a close approximation of statistical ideal point models at a much-reduced computational cost.

Prior to performing CA, we organize contribution amounts into an n by m contingency matrix where the rows index contributors, the columns index recipients, and each cell (i, j) stores the contribution amount donor i gives to recipient j . We restrict estimation to individual donors and political committees (excluding those sponsored by corporate and trade groups)⁴ that have given to two or more recipients. Donors who only give to a single recipient are treated as supplementary elements and projected onto the space. In total, the resulting set of ideal points encompasses over 71,000 candidates for state and federal office, 8024 campaign committees, and 13.5 million individual donors. With those data, we implement the correspondence analysis as follows:

1. Arrange contribution amounts into an n by m contingency matrix.
2. Normalize \mathbf{R} such that $\sum_i \sum_j R_{ij} = 1$ and perform χ^2 transformation using vectors of row and column sums, \mathbf{r} and \mathbf{c} : $\mathbf{R}^* = \mathbf{D}_r^{-\frac{1}{2}}(\mathbf{R} - \mathbf{r}\mathbf{c}')\mathbf{D}_c^{-\frac{1}{2}}$, where \mathbf{D}_r and \mathbf{D}_c are diagonal matrices.
3. Perform Singular Value Decomposition of \mathbf{R}^* to yield the set of ideal points:

$$\boldsymbol{\theta} = \mathbf{U}\mathbf{D}_c^{1/2} \quad \text{and} \quad \boldsymbol{\delta} = \mathbf{V}\mathbf{D}_r^{1/2}.$$

³ The data are organized as an n by m contingency matrix where the rows index contributors, the columns index recipients, and each cell (i, j) stores the contribution amount donor i gives to recipient j .

⁴ We exclude all contributions made by corporations and trade organizations from the scaling, but retain all other committees.

Although correspondence analysis does not derive explicitly from a model of campaign contributions, the method contains attributes that one can interpret as capturing important features of the campaign contribution process. For one, correspondence analysis closely approximates a log-linear ideal point model (ter Braak 1985, de Leeuw and van der Heiden 1988). In an excellent treatment of the subject, Lowe (2008) draws the comparison to IRT count models used for scaling political text.

The model does not control for non-spatial covariates and thus assumes sincere spatial giving. Sincere spatial giving posits that the decision to give to one candidate rather than another reflects the donor's ideological preferences. We do not believe this to be problematic. Whereas the literature on political action committees stresses the importance of non-spatial candidate characteristics in determining contributions, evidence for access-seeking behavior among individual donors is sparse. In fact, nearly all existing research on individual donors suggests that campaign contributions represent a genuine expression of the donor's ideology, not a strategic action aimed at influencing the recipient's behavior (McCarty et al. 2006; Ensley 2009). Gimpel, Lee, and Pearson-Merkowitz (2008), for instance, find evidence that contributors deliver funds to out-of-district candidates who share their policy preferences. Similarly, Fuchs, Adler, and Mitchell (2000) and Mutz (1995) suggest that individuals contribute to candidates whom they wish to see elected. These findings are largely consistent with the claim made by Ansolabehere et. al (2003) that contributions are better understood as consumption goods that fulfill the desire to participate in politics. Indeed, the vast majority of donors give amounts so diminutive that it is difficult to conceive of the contribution as an investment.

Some research does suggest that individual donors might make contributions as an investment, but these studies do not demonstrate that such motives conflict with donors'

ideological preferences. Gordon, Hafer, and Landa (2008) provide the most compelling evidence of such behavior. In a study of political giving by corporate executives, they find a robust relationship between political giving and the sensitivity of compensation to company performance. Although their results identify conditions under which a specialized set of donors will give more, the findings do not imply that corporate executives distribute funds in a manner contrary to their personal policy preferences. In general, we have found no examples in the literature of individuals strategically issuing campaign contributions at the expense of their political ideologies.

With strategic considerations set aside, we search the universe of contributions using detailed listings, obtained from the Congressional Record and whitehouse.gov, which present the names, organizational affiliations, and positions of appointees nominated or appointed by the president to federal bureaucratic posts. A high percentage of presidential nominees made at least one contribution in their lives and, thus, can be found in public campaign finance records. In fact, 68 percent of Obama nominees through 2011 have made at least one contribution and it is therefore possible to estimate a CFscore ideal point for them. Of those who have made at least one contribution, nominees contribute an average of 19.7 times (median contributions: 7) and over 93 percent made their first contribution prior to the 2008 election cycle. Less than ten percent of nominees have made fewer than three contributions. Yet, given that contributing is a costly action, even a profile of one or two contributions can provide a highly informative signal about an individual's ideology. Unlike party identification, for instance, a campaign contribution can indicate how an individual's political ideology relates to his fellow partisans. This more detailed portrait of intra-party ideological variation may play a particularly important role in

studies of the public bureaucracy, since the delegation of policy implementation to the public bureaucracy likely counters the ability of political parties to control their members.

Measure Validity. Past uses of these methods validate this application. Bonica (2012) establishes measure validity by demonstrating the correlation between CFscores, DW-NOMINATE scores, and other roll call based measures of ideology. Also, CFscores predict Congressional voting accurately: despite the sizable handicap of conditioning on contribution records rather than the roll call votes themselves. The common-space CFscores succeed in classifying 87.2 percent of combined House and Senate vote choices for the 95th-111th Congresses. This is slightly below the 88.7 percent correct classification rate for DW-NOMINATE and on par with the 87.4 percent correct classification rate for Turbo-ADA scores.

The contribution data offer several ways to assess whether our measures of appointee ideology are truly comparable with elected officials' measured ideology. First, we point to the strong correlation between an individual's CFscore as a contributor and her CFscore as a candidate, which, in turn, is an accurate predictor of her Congressional voting record. Figure 1 displays this correlation in the central panel of the top row and the leftmost panel of the second row of the figure. Unless appointees significantly depart, in this respect, from the population of donors at large—and the strong relationships between contributor CFscores and DW-NOMINATE scores for cabinet members is compelling evidence against such claim—this pattern should hold. In addition, we were able to identify 212 appointees that have campaigned for elected office and another 73 with DW-NOMINATE scores. Again, we find that ideal point estimates derived from donating, fundraising, and voting all map very closely onto each other. The contributor CFscores strongly correlate, within and across party, with candidate CFscores ($r=0.94$ overall, 0.80 for Democrats, and 0.84 for Republicans) and with DW-NOMINATE

scores ($r=0.94$ overall, 0.75 for Democrats, and 0.71 for Republicans). Regardless of what data source on political activity we examine, we recover consistent estimates of appointee ideology.

[Figure 1 here]

Overall, we find that campaign contributions are a promising means of constructing measures of bureaucratic ideology that vary across time, compare with ideological estimates for other political actors (i.e. presidents, legislators, and judges), and signal intra-agency ideological variation. In the appendix, we present a detailed comparison of our estimates with those of Bertelli and Grose (2011) and compare aggregate properties of estimates with the estimates reported by Clinton et al. (2012). In the next section, we exhibit the usefulness of these new measures in order to test hypotheses about how political ideology shapes U.S. presidents' efforts to manage appointments to the federal bureaucracy.

Ideological Influences on Presidential Appointments to the U.S. Federal Bureaucracy

We use our measures of bureaucratic ideology to assess competing accounts of how ideological factors influence the presidential appointment process (Aberbach and Rockman 2009; Nixon 2004; McCarty and Razaghian 1999; Krutz et al. 1998; Barrow et al. 1996; Havrilesky and Gildea 1992; Waller 1992). While the U.S. Constitution grants presidents the power to appoint officers to the public bureaucracy, it also sets forth the caveat that the president must seek the "Advice and Consent of the Senate." The latter proviso has generated considerable debate about the degree to which legislative interests curtail presidents' efforts to staff the bureaucracy with ideological allies (Mackenzie 1981; Moe 1985, 1987; Deering 1987; Nixon 2004). That is, although scholars have considered the importance of competence (Mann 1964; King and Riddlesperger 1996; Edwards 2001; Lewis 2007), diversity (Aberbach 1996), and integrity (Sullivan 2001; Labiner and Light 2001) in the Senate confirmation process, the crux of

academic debate has focused on the ideology of nominees relative to the pivotal members of the Senate (Mackenzie 1981; Moe 1985, 1987; Deering 1987; Nixon 2004).

On the one hand, scholars have held that Senate confirmation leads presidents to select more ideologically moderate nominees than they would under unilateral appointment authority (Mackenzie 1981; Nixon 2004). Theoretical backing for this claim derives from separation of powers models of political institutions that show that selecting successful nominees, not unlike crafting successful legislation, requires that ideological concessions be made in order to gain the support of pivotal legislators (Cameron et al. 1990; Hammond and Hill 1993; Barrow et al. 1996; Moraski and Shipan 1999; Nokken and Sala 2000; Snyder and Weingast 2000; Chang 2001; Nixon 2004).

Others note that the Senate has seldom blocked presidential nominees (Deering 1987). According to these scholars, senators are reluctant to oppose nominees for ideological reasons. Such deference, ultimately, might result from the fact that presidents can circumvent the Senate confirmation process. Faced with Senate obstruction, presidents can wait for a Congressional recess to install nominees that the Senate finds unacceptable (Nokken and Sala 2000; Corley 2006; Black et al. 2007). Or, alternatively, presidents can appoint nominees to positions that do not require Senate confirmation (Lewis 2008). In sum, presidents may not need to accommodate Senate preferences because, quite simply, they can circumvent the Senate (see, broadly, Moe and Howell 1999; Howell 2002; Howell and Jackman 2012).

Past empirical research yields mixed support for these conflicting accounts. Nixon (2004) focuses on legislative factors that influence the ideology of nominees the president chooses to put before the Senate. His analysis finds that the ideology of key legislators influences the ideology of nominees for Senate confirmed positions. Corley (2006), however, finds that

presidents make recess appointments when they lack support in the Senate. Moreover, Black et al. (2007) discover that presidents turn to recess appointments more frequently when staffing influential policy-making positions. Those findings suggest that presidents recognize and use their ability to avoid the Senate confirmation process when it benefits them.

These previous investigations, however, focus on subsections of the overall confirmation process or lack reliable ideological estimates of the relevant political actors. Thus, a comprehensive investigation of ideological influence in the appointment process is needed. With reliable ideal point estimates for both successful and unsuccessful nominees in hand, we perform such an investigation.

The Senate Confirmation Process. The Senate confirmation process involves multiple steps, each a hurdle to a nominee's successful appointment. Previous studies often neglect one or more steps of this process. In light of this, we test a comprehensive set of hypotheses concerning how institutional actors, at each stage of the confirmation process, shape the ideological distribution of successful nominees.

The initial stage of the confirmation process involves nominee selection. As Nixon (2004) points out, this process requires the president to examine the ideological distribution of potential nominees and, then, to select one candidate as the nominee. In considering the pool of candidates, the president must consider the likelihood that each candidate will survive the Senate confirmation process, and whether those deemed likely to be rejected should forgo the process and instead be appointed to a position that does not require Senate confirmation (Lewis 2008). Presidents, in other words, have the ability to place appointees in various classes of positions and only high-ranking positions require Senate confirmation (Lewis 2011).

The past literature offers divergent predictions about how presidents will act at this stage. According to Nixon (2004) and Mackenzie (1981), presidents must moderate their choice of nominee in order to secure Senate confirmation. This leads to our first hypothesis:

Hypothesis 1: *The candidates nominated to Senate-confirmed positions will be more moderate than candidates appointed to positions that do not require Senate confirmation.*

Scholars positing senatorial deference (Deering 1987), on the other hand, would predict that presidents should be able to disregard senators' ideological considerations. These two hypotheses represent distinct predictions about presidential decision-making. It should be noted, however, that the two hypotheses do not represent conflicting portraits of presidential power (Moe 1993). While evidence in support of Hypothesis 1 would suggest that presidents must act strategically when engaging the Senate, such evidence would not signify legislative dominance. Even if strategic appointment behavior is observed, presidents can still enhance their control of the bureaucracy by pushing through appointments to non-confirmed positions (Moe 1985, 1987). Thus, the reader should interpret these hypotheses as different perspectives on strategic presidential decision-making, as opposed to differing perspectives about presidential power.

Once the president submits a candidate to the Senate, the Senate parliamentarian refers the nominee to the committee handling the nomination (Tong 2003; Hogue et al. 2008; more broadly, on committee power, see Cox and McCubbins 2004). Previous empirical investigations of the Senate confirmation process ignore this step, even though leaving the committee stage represents a significant challenge (Aberbach and Rockman 2009, p.45). Under direction of the committee chair, Senate committees can create paperwork for nominees to complete and they can conduct independent investigations of nominees' backgrounds (Sullivan 2001). Also, according to the Congressional Research Service (Tong 2003), committees can "extract

commitments from the nominee” or “use hearings as a forum to advance their own views on public policy” (Tong 2003, p.2). Recognizing these opportunities, and the important role of the committee chair in guiding them, committees should influence the confirmation process:

Hypothesis 2: *The likelihood of confirmation decreases as the distance between the ideal points of the nominee and the relevant Senate Committee Chair increases.*

However, if senators defer to the president when appraising nominees, then committees should also ignore ideological considerations when vetting appointees.

Appointments that emerge from committee subsequently face a floor vote, so long as no Senator places a “hold” on the confirmation vote. The hold prevents a nominee from a floor vote until the hold is lifted; Senate practices appear to respect holds (Krutz et al. 1998, p.872, fn.2). As a result, successfully passing through a floor vote requires considerable support from the party opposed to the president, thus:

Hypothesis 3: *The likelihood of confirmation increases as the nominee’s ideal point moves in the direction of the party opposing the president.*

Finally, in the event that a nominee does not pass through committee or a Senate floor vote, the president has the option to install the nominee as a recess appointment. As authoritative Congressional sources note, “[t]here is no qualification on the President’s ‘Power to fill up all Vacancies’” (Hogue 2012, p.5). If ideological considerations play a role in the Senate confirmation process, then one would predict that recess appointments serve as a “backdoor” through which ideological extremists can enter the bureaucracy:

Hypothesis 4: *The ideological distribution of recess appointees will lean in the direction of the president, relative to the ideological distribution of nominees for Senate confirmed positions.*

Together, these hypotheses make predictions about potential ideological influences on presidential appointments, to the U.S. federal bureaucracy, at each step of the Senate confirmation process. In the remainder of this section, we describe the data collection process and test each hypothesis.

Data and Methods. In addition to using our new ideal point estimates, our empirical analyses enlisted data, concerning the Senate confirmation process, which we obtained from various sources. For the time period spanning the Bill Clinton and George W. Bush administrations, we constructed a data set that included both federal bureaucratic nominations requiring Senate confirmation and Schedule C appointments that do not require Senate confirmation.

Schedule C positions—in terms of their policy relevance, term of duration, and associated pay—compare more closely to Senate-confirmed positions than do other non-confirmed positions to which presidents make unilateral appointments (Lewis 2008, 2011). As a result, we focus our analysis of non-confirmed appointments on Schedule C positions. We collected data concerning Schedule C appointments from the 1996 through 2008 editions of the *United States Government Policy and Supporting Positions (Plum Book)*, which is widely considered the definitive source of information concerning presidential appointments (Lewis 2008). We then match the names of Schedule C appointees listed in the Plum Book against the database of individual donors, which we use to assign ideal point estimates. Although far from complete, this approach produces a sizable sample of appointees. During the Clinton administration, we identified 743 Schedule C appointments out of a total of $N = 2,915$ appointees. During the George W. Bush administration, we identified 1,099 Schedule C appointments out of $N = 3,541$ appointees.

Senate-confirmed nominees in our data, as well as recess appointments, are identified via the *Congressional Record* (thomas.loc.gov). The *Congressional Record* clearly identifies nominees for Senate confirmation and recess appointments. Using those records, we identified Senate-confirmed nominees and recess appointments, and matched those individuals with their contribution records. The data contained a total of 2,172 individuals nominated to Senate-confirmed positions under Bill Clinton and 2,442 individuals nominated to Senate-confirmed positions under George W. Bush. Of those nominees, 108 occurred during recess under Clinton and 109 occurred during recess under Bush.

As described in the following section, those models included the ideal point estimates of nominated and appointed bureaucratic actors, along with the ideal points of committee chairs. The relevant committee to which a nominee was referred was identified using both the *Congressional Record* and guidelines put forward by the Congressional Research Service (Hogue et al. 2008). The chairs of those committees were identified using Stewart and Woon (2012). The models also included agency indicator variables to capture variation in outcomes attributable to unobservable factors related to the agencies in which civil servants were housed. Moreover, some nominees to the judiciary enter our data due to the challenges of determining which judges are located exclusively in the judiciary and which play a role—e.g., as an administrative law judge—in the bureaucracy. The thrust of our findings hold when excluding all judges, and our models' agency indicators statistically control for any systematic differences between nominees to the judiciary and nominees to the public bureaucracy proper.

Results. A broad examination of our data suggests that ideological factors influence who presidents nominate for Senate-confirmed positions. As shown in Figure 2, presidents tend to nominate ideological allies to Senate-confirmed positions. In the figure, an open circle signifies a

nominee's ideal point estimate (for purposes of visual presentation, we exclude outlying observations, which fall outside the interval stretching from roughly -1.5 to 1.5, in all of our figures). A clear relationship between presidential ideology and nominee ideology emerges. Democratic presidents predominantly nominate liberals (negative values), whereas Republican presidents predominantly nominate conservatives (positive values). Hypothesis 1 inquires as to whether Senate-confirmed and Schedule C appointees differ with respect to their ideology. To test that hypothesis, we study patterns of appointee ideology under the Bill Clinton and George W. Bush presidencies. For each administration, we regress appointees' ideal points on an indicator variable that takes the value of one if Senate confirmation is required and the value of zero if confirmation is not required. We also estimate this model with agency fixed effects in order to capture ideological variation attributable to the agency in which the candidate would work, if appointed successfully.

As Table 1 shows, our findings allow us to reject the null hypothesis that Senate-confirmed appointees do not differ ideologically from Schedule C appointees. The average ideal point estimate of Senate-confirmed nominees under Clinton was -0.697, whereas Schedule C appointments averaged an ideal point of -0.915. Even when including agency fixed effects, Schedule C appointments were significantly to the left of Senate-confirmed appointees during the Clinton years ($\beta = -0.175$, $S.E. = 0.033$). With a mean ideal point of 0.871, Schedule C appointments exhibited greater ideological extremism, under the George W. Bush administration, than did nominees to Senate-confirmed appointments whose mean ideal point averaged 0.528 during that period. Again, even when controlling for the agency to which an appointment is aimed, Schedule C appointments are more extreme than their Senate-confirmed peers during the Bush years ($\beta = 0.198$, $S.E. = 0.030$). These findings coincide with the

prediction of hypothesis 1: presidents respond strategically to the Senate confirmation process by nominating more ideologically moderate individuals than they would if given unilateral appointment authority for those prospective appointees.

[Table 1 Here]

[Figure 2 Here]

We test hypothesis 2 by estimating a logistic regression model that studies the likelihood of a nominee's confirmation. The dependent variable of the model is a binary indicator taking a value of one when a nominee is confirmed and taking a value of zero otherwise. As Table 2 indicates, our models' estimates support the prediction that the ideologies of Senate committee chairs influence the probability of a nominee's successful confirmation. The likelihood of a nominee's confirmation decreases significantly under the Clinton administration as the chair's ideology grows more conservative (see Table 2), whereas the likelihood of confirmation increases with greater committee chair conservatism under the Bush administration (see Table 2). In fact, as evident in Models (3) and (6) of Table 2, the likelihood of confirmation declines significantly, under both the Clinton and Bush administrations, with the difference between the nominee's ideal point and the ideal point of the relevant committee chair. These estimates provide strong evidence against the null hypothesis that the ideological orientation of committee chairs does not impact the confirmation process.

[Table 2 Here]

[Figure 3 Here]

In these same logistic regression models, we test hypothesis 3, which examines whether candidate ideology, relative to the party opposing the president, influences confirmation. Model estimates reject the null hypothesis that the ideology of the nominee—relative to the opposing

party—does not influence the likelihood of confirmation. As evident in Models (1) and (2) of Table 2, the likelihood of successful confirmation increased as nominees became more conservative during the Clinton administration. On the other hand, as Models (4) and (5) of Table 2 display, nominees exhibiting greater conservatism during Bush’s tenure experienced a significantly lower chance of Senate confirmation. These findings dovetail with hypothesis 3, which posits that nominees closer to the opposing party’s ideology fare better in the Senate confirmation process than do nominees that harbor ideologies more strongly in the direction of the ideology held by the president’s party. Figures 3 and 4, display that relationship. The ideal points of rejected nominees are represented by an open circle in the figure, whereas the average ideal point of nominees aimed at a given agency are represented by an asterisk. Under Clinton, the open circles rest predominantly to the left of the asterisks, which indicates that more extreme, liberal nominees are rejected, withdrawn, or returned more often by the Senate than are more conservative nominees. Under Bush, the open circles concentrate on the right-hand side of the figure and to the right of the average nominee ideal point in an agency, thus suggesting that extreme right-wing nominees face a higher rate of Senate opposition.

[Figure 4 Here]

Those findings, which suggest that ideology figures prominently in the Senate confirmation process, provide reason to believe that presidents will use recess appointments in order to appoint more ideologically extreme nominees. That is, given that the Senate confirmation process is laden with ideological considerations, one would expect to find evidence consistent with hypothesis 4. To evaluate hypothesis 4, we estimate an OLS regression model with appointees’ ideal points as the dependent variable and a binary indicator signaling recess appointment as the focal predictor of the model. We also include agency fixed effects to model

between-agency variation in nominee ideal points. Table 3 reports the results of that analysis. Our findings with respect to this hypothesis are mixed, due to estimate imprecision during the Clinton years. Under Clinton, our coefficient estimate indicates that recess appointments were to the left of non-recess appointments, but the standard error about this estimate prevents us from rejecting the hypothesis that recess and non-recess appointments harbored comparable ideal points ($\beta = -0.098$, $S.E. = 0.063$). Recess appointments under Bush, on the other hand, rest significantly to the right of non-recess appointments ($\beta = 0.232$, $S.E. = 0.070$). Figure 5 displays this pattern; in the figure, the open circles represent the ideal points of recess appointments, whereas the asterisks represent the average ideal point of non-recess appointments. As the figure makes clear, under Clinton the vast majority of recess appointments' ideal points are to the left of the average ideal point of non-recess appointments in a given agency. Under Bush, recess appointee ideal points appear to the left of the average non-recess appointment in an agency. In sum, recess appointments provide presidents a means to bypass the Senate and install ideologically extreme bureaucrats.

Discussion. Together, these findings suggest that ideological influences play an important role in the Senate confirmation process and shape the ultimate distribution of presidential appointments subject to confirmation. The president, however, also possesses means to avoid those influences; our analysis shows that through non-confirmed and recess appointments, presidents can avoid Senate influence and select nominees that more closely approximate presidential ideology. These findings highlight the important role of institutions and ideological considerations in the appointment process.

In addition to that finding, our results also dovetail with the hypothesis that presidents use non-confirmed posts to appoint party workers for patronage purposes (Lewis 2009, 2011).

Appointments placed in non-confirmed, Schedule C positions possess ideal points on the fringes of our ideological scale. Such extremism would be expected if those appointees consisted mainly of diehard members of the president's party, as Lewis (2009, 2011) contends. More broadly, this finding adds support to the notion that presidents strategically use the appointment process both for control and to repay political debts.

It is worth repeating, however, that this analysis does not cover all considerations likely to influence the politics surrounding presidential appointments to the federal bureaucracy. The challenges of recruiting candidates (Sullivan 2002; Barrow et al. 1996; Havrilesky and Gildea 1992; Mann 1964), patronage (Lewis 2009), identifying competent nominees (Mann 1964; King and Riddlesperger 1996; Edwards 2001; Lewis 2007, 2008), fostering a diverse workforce (Aberbach 1996), and obtaining confirmation within a reasonable time frame (Sullivan 2002; McCarty and Razaghian 1999) represent additional tests that confront presidential administrations. Our analysis ignores these considerations and focuses solely on testing propositions about ideological considerations, which, according to our analysis, loom large in the Senate confirmation process.

Conclusion

In most nations, the public bureaucracy constitutes the largest segment of the government. Moreover, given its role in policy implementation, the public bureaucracy is uniquely suited to influence policy whether or not politicians have actually delegated policy-making authority to it. For these reasons, understanding the activities of public bureaucrats, and how those activities emanate from bureaucrats' political ideologies, rests at the heart of understanding government and politics.

In this paper, we have developed a new tool to help scholars further this objective. Past efforts to estimate agency and bureaucrat ideal points have enlisted the political decisions of administrative officials (Nixon 2004), expert opinions (Clinton and Lewis 2007), government employee surveys (Clinton et al. 2012), the political history of agencies (Lewis 2003, 2007, 2008), and the public statements of top officials (Bertelli and Grose 2009). Although attractive in many respects, those methods do not provide estimates of bureaucrats' ideologies that vary across time, yield insight into ideological variation within agencies, compare with the ideological estimates of actors in other branches of government, cover a large number of agencies, and require little effort to update. Our ideal point estimates meet those criteria and, thus, represent a valuable extension of past efforts.

The paper's illustrative use of those estimates also yields insights about the public bureaucracy. We enlist estimates of individual bureaucrats' political ideologies to study presidential appointments to the public bureaucracy that require Senate confirmation. This investigation sheds light on previous analyses of the politics underlying Senate confirmation of bureaucratic positions (Havrilesky and Gildea 1992; Barrow et al. 1996; McCarty and Razaghian 1999; Nixon 2004; Corley 2006; Black et al. 2007; see, for a review, Aberbach and Rockman 2009) and it finds that institutions at each step of the Senate confirmation process shape the ideological distribution of successful appointees. That application of our ideal point estimates, however, represents only one of many ways our ideal point estimates can help answer questions about the public bureaucracy. As the public bureaucracy's scope, size, and influence grows (Wilson 1989), so too does the importance of understanding politicians' efforts to delegate to public bureaucrats (Bendor and Meirowitz 2004), communicate with public bureaucrats (Patty 2009), and secure compliance from public bureaucrats (Epstein and O'Halloran 1999; Huber and

Shipan 2002). Estimating the political ideologies of public bureaucrats represents an important step in meeting this challenge.

Moreover, the public bureaucracy represents the locus of considerable political conflict among public institutions. As a result, gaining an empirical understanding of the relative control presidents (Moe 1993; Lewis 2008), Congress (Ferejohn and Shipan 1990; Bawn 1997; MacDonald 2010), and the courts (Howard and Nixon 2003) have over the bureaucracy promises to provide insight into long-standing debates about presidential power (Moe 1985; Moe and Howell 1999; Howell 2003; Howell and Jackman 2012), Congressional dominance (Weingast and Moran 1983), judicial control over the bureaucracy (Spriggs 1996), and the role of politics in evaluating agency performance (Radin 2000; Dull 2006; Lewis 2008).

References

- Aberbach, Joel D. 1990. *Keeping a Watchful Eye*. Washington, DC: Brookings Institution Press.
- Aberbach, Joel D. 1996. The federal executive under Clinton. In *The Clinton presidency: First appraisals*, edited by Colin Campbell and Bert A. Rockman. Chatham, NJ: Chatham House, 163-87.
- Aberbach, Joel D., and Bert A. Rockman. 2009. The Appointments Process and the Administrative Presidency. *Presidential Studies Quarterly* 39 (1): 38-59.
- Ansolahere, Stephen, John M. de Figueiredo, and James M. Snyder, Jr. 2003. "Why is There So Little Money in U.S. Politics?" *Journal of Economic Perspectives* 17: 105-130.
- Anzia, Sarah F. 2011. "Election Timing and the Electoral Influence of Interest Groups." *Journal of Politics* 73 (2): 412-427.
- Barrow, Deborah J., Gary Zuk, and Gerald S. Gryski. 1996. *The federal judiciary and institutional change*. Ann Arbor: University of Michigan Press.
- Bawn, Kathleen. 1997. Choosing Strategies to Control the Bureaucracy: Statutory Constraints, Oversight, and the Committee System. *Journal of Law, Economics, and Organization* 13 (1): 101-126.
- Bendor, Jonathan, and Adam Meirowitz. 2004. "Spatial Models of Delegation." *American Political Science Review* 98(2): 293-310.
- Benoit, Kenneth, and Michale Laver. Estimating Irish party policy positions using computer wordscoring: the 2002 election. *Irish Political Studies* 18 (1): 97-107
- Benzecri, J.P. 1992. *Correspondence Analysis Handbook*. New York: Marcel Dekker.
- Bertelli, Anthony M., and Christian R. Grose. 2007. "Agreeable Administrators? The Public Positions of Cabinet Secretaries and Presidents." *Presidential Studies Quarterly* 37 (2): 228-247.
- Bertelli, Anthony M., and Christian R. Grose. 2009. "Secretaries of Pork? A New Theory of Distributive Politics." *Journal of Politics* 71 (3): 926-945.
- Bertelli, Anthony M., and Christian R. Grose. 2011. "The Lengthened Shadow of Another Institution? Ideal Point Estimates for the Executive Branch and Congress." *American Journal of Political Science* 55 (4): 767-781.
- Black et al. 2007. Adding Recess Appointments to the President's "Tool Chest" of Unilateral Powers. *Political Research Quarterly* December 2007 vol. 60 no. 4 645-654

- Bonica, Adam. 2012a. "Ideology and Interests in the Political Marketplace." *American Journal of Political Science*, Forthcoming.
- Bonica, Adam. 2012b. "Mapping the Ideological Marketplace." *Working Paper*
- Cameron, Charles M., Jeffrey Segal, and Albert Cover. 1990. Senate Voting on Supreme Court Nominees: A Neoinstitutional Model. *American Political Science Review* 84 (2): 525-534.
- Carpenter, Daniel. 2001. *The Forging of Bureaucratic Autonomy: Reputations, Networks and Policy Innovation in Executive Agencies, 1862-1928*. Princeton, NJ: Princeton University Press.
- Carpenter, Daniel. 2005. "The Evolution of National Bureaucracy in the United States," in Joel D. Aberbach and Mark A. Peterson, eds. *The Executive Branch*. Oxford: Oxford University Press. pp. 41-71.
- Carpenter, Daniel. 2010. *Reputation and Power: Organizational Image and Pharmaceutical Regulation at the FDA*. Princeton, NJ: Princeton University Press.
- Carroll, J. Douglas, Paul E. Green, and Catherine M. Schaffer. 1986. "Interpoint Distance Comparisons in Correspondence Analysis." *Journal of Marketing Research* 23 (3): 271-280.
- Chang, Kelly H. 2001. The President Versus the Senate: Appointments in the American System of Separated Powers and the Federal Reserve. *Journal of Law, Economics, & Organization* 17: 319-355.
- Clinton, Joshua D., Anthony Bertelli, Christian R. Grose, David E. Lewis, and David C. Nixon. 2012. "Separated Powers in the United States: The Ideology of Agencies, Presidents, and Congress." *American Journal of Political Science* 56 (2): 341-354.
- Clinton, Joshua D., Simon D. Jackman, and Douglas Rivers. 2004. The Statistical Analysis of Roll Call Data: A Unified Approach. *American Political Science Review* 98:355-370.
- Clinton, Joshua D., and David E. Lewis. 2008. "Expert Opinion, Agency Characteristics, and Agency Preferences." *Political Analysis* 16 (1): 3-20.
- Corley, Pamela C. 2006. Avoiding Advice and Consent: Recess Appointments and Presidential Power. *Presidential Studies Quarterly* 36 (4): 670-680.
- Cox, Gary W., and Matthew D. McCubbins. 2004. *Setting the agenda*. Cambridge: Cambridge University Press.
- Deering, Christopher J. 1987. Damned if you do and damned if you don't: The Senate's role in the appointments process. In G. Calvin Mackenzie, ed., *The in-and-outers: Presidential appointees and transient government in Washington*. Baltimore: Johns Hopkins University Press. pp. 100-19.

de Leeuw, Jan and Peter van der Heiden. 1988. "Correspondence Analysis of Incomplete Contingency Tables." *Psychometrika* 53: 223-233.

Dull, Matthew. 2006. Why PART? The Institutional Politics of Presidential Budget Reform. *Journal of Public Administration Research and Theory* 16: 187-215.

Edwards, George C., III. 2001. Why not the best? The loyalty-competence trade-off in presidential appointments. In *Innocent until nominated: The breakdown of the presidential appointments process*, edited by G. Calvin Mackenzie. Washington, DC: Brookings Institution Press, 81-106.

Ensley, Michael J. 2009. "Individual Campaign Contributions and Candidate Ideology." *Public Choice* 138: 221-238.

Epstein, David, and Sharyn O'Halloran. 1999. *Delegating Powers*. New York, NY: Cambridge University Press.

Eskridge, William N., and John Ferejohn. 1992. Making the Deal Stick: Enforcing the Original Constitutional Structure of Lawmaking in the Modern Regulatory State. *Journal of Law, Economics, & Organization* 8 (1): 165-189.

Ferejohn, John, and Charles R. Shipan. 1990. "Congressional Influence on Bureaucracy." *Journal of Law, Economics, and Organization* 6: 1-21.

Fiorina, Morris P. 1985. "Group Concentration and the Delegation of Legislative Authority." In *Regulatory Policy and the Social Sciences*, ed. Roger Noll. Berkeley, CA: University of California Press, 175-197.

Fuchs, Ester, E. Scott Adler, and Lincoln A. Mitchell. 2000. "Win, Place, Show: Public Opinion Polls and Campaign Contributions in a New York City Election." *Urban Affairs Review* 35 (4): 479-501.

Gailmard, Sean and John W. Patty. 2007. "Slackers and Zealots: Civil Service, Policy Discretion, and Bureaucratic Expertise." *American Journal of Political Science* 51(4): 873-899.

Gimpel, James G., Frances E. Lee, and Shanna Pearson-Merkowitz. 2008. "The Check Is in the Mail: Interdistrict Funding Flows in Congressional Elections." *American Journal of Political Science* 52 (2): 373-394.

Goodnow, Frank Johnson. 1900. *Politics and Administration: A Study in Government*. New York: Macmillan Company.

Gordon, Sanford, Catherine Hafer, and Dimitri Landa. 2007. "Consumption or Investment? On Motivations for Political Giving." *Journal of Politics* 69 (4): 1057-1072.

- Greenacre, Michael J. 1984. *Theory and Applications of Correspondence Analysis*. New York: Academic Press.
- Hammond, Thomas H. 1986. Agenda Control, Organizational Structure, and Bureaucratic Politics. *American Journal of Political Science* 30 (2): 379-420.
- Hammond, Thomas H., and Jeffrey S. Hill. 1993. Deference or preference? Explaining Senate confirmation of presidential nominees to administrative agencies. *Journal of Theoretical Politics* 5: 23-59.
- Hammond, Thomas H., and Gary J. Miller. 1985. A Social Choice Perspective on Authority and Expertise in Bureaucracy. *American Journal of Political Science* 29 (1): 1-28.
- Havrilesky, Thomas, and John Gildea. 1992. Reliable and unreliable partisan appointees to the board of governors. *Public Choice* 73: 319-417.
- Hogue, Henry B. 2012. Recess Appointments: Frequently Asked Questions. *CRS Report for Congress 7-5700*. Washington, D.C.: Congressional Research Service.
- Hogue, Henry B., Maureen Bearden, and Terrence L. Lisbeth. 2008. Presidential Appointee Positions Requiring Senate Confirmation and Committees Handling Nominations. *CRS Report for Congress RL30959*. Washington, D.C.: Congressional Research Service.
- Howard, Robert M., and David C. Nixon. 2003. Local Control of the Bureaucracy: Federal Appeals Courts, Ideology, and the Internal Revenue Service. *Washington University Journal of Law and Policy* 13: 233-256.
- Howell, William G. 2003. *Power without Persuasion: The Politics of Direct Presidential Action*. Princeton, NJ: Princeton University Press.
- Howell, William G., and Saul P. Jackman. 2012. *Inter-Branch Negotiations over Policies with Multiple Outcomes*. Working Paper.
- Howell, William G., and David E. Lewis. 2002. "Agencies by Presidential Design." *Journal of Politics* 64 (4): 1095-1114.
- Huber, Gregory A. 2007. *The Craft of Bureaucratic Neutrality*. Cambridge: Cambridge University Press.
- Huber, John D., and Charles R. Shipan. 2002. *Deliberate Discretion? The Institutional Foundations of Bureaucratic Autonomy*. New York: Cambridge University Press.
- King, James D., and James W. Riddlesperger, Jr. 1996. "Senate Confirmation of Cabinet Nominations: Institutional Politics and Nominee Qualifications." *Social Science Journal* 33: 273-285.

- Krause, George A., and Anne M. Joseph O'Connell. 2012. "Bureaucratic Leadership, Institutional Policy Conflict, and the Political Calculus of Fiduciary Investment Decisions in U.S. Federal Agencies." Paper Presented at the Midwest Political Science Association 2011 (Revised Version).
- Krutz, Glen S., Richard Fleisher, and Jon R. Bond. 1998. From Abe Fortas to Zoë Baird: Why some presidential nominations fail in the Senate. *American Political Science Review* 92: 871-81.
- Labiner, Judith M., and Paul C. Light. 2001. Appointments past and future: How presidential appointees view the call to service. In G. Calvin Mackenzie, ed., *Innocent until nominated: The breakdown of the presidential appointments process*. Washington, DC: Brookings Institution Press. pp. 231-253.
- Laver, Michael, Kenneth Benoit, and John Garry. 2003. "Extracting Policy Positions from Political Texts Using Words as Data." *American Political Science Review* 92 (2): 311-332.
- Le Roux, Brigitte, and Henry Rouanet. 2010. *Multiple Correspondence Analysis*. London: Sage.
- Lewis, David E. 2003. *Presidents and the Politics of Agency Design: Political Insulation in the United States Government, 1946-1997*. Stanford, CA: Stanford University Press.
- Lewis, David E. 2007. "Testing Pendleton's Premise." *Journal of Politics* 69 (4): 1073-88.
- Lewis, David E. 2008. *The Politics of Presidential Appointments: Political Control and Bureaucratic Performance*. Princeton, NJ: Princeton University Press.
- Lewis, David E. 2009. "Revisiting the Administrative Presidency: Policy, Patronage, and Administrative Competence." *Presidential Studies Quarterly* 39 (1):60-73.
- Lewis, David E. 2011. Presidential Appointments and Personnel. *Annual Review of Political Science* 14:47-66.
- Lowe, Will. 2008. "Understanding Wordscores." *Political Analysis* 16 (4): 356-371.
- Lowi, Theodore J. 1967. The public philosophy: Interest group liberalism. *American Political Science Review* 61: 5-23
- MacDonald, Jason A. 2010. "Limitation Riders and Congressional Influence over Bureaucratic Policy Decisions." *American Political Science Review* 104 (4): 766-782.
- Mackenzie, G. Calvin. 1981. *The Politics of Presidential Appointments*. New York: Free Press.
- Mann, Dean. 1964. The selection of federal political executives. *American Political Science Review* 58: 81-99.
- McCarty, Nolan. 2004. The appointments dilemma. *American Journal of Political Science* 48 (3): 413-28.

- McCarty, Nolan, Keith T. Poole, and Howard Rosenthal. 2006. *Polarized America: The Dance of Political Ideology and Unequal Riches*. Cambridge, MA: MIT Press.
- McCarty, Nolan, and Rose Razaghian. 1999. Advice and consent: Senate responses to executive branch nominations, 1885-1996. *American Journal of Political Science* 43 (4): 1122-43.
- McCarty, Nolan, and Lawrence S. Rothenberg. 1996. "Commitment and the Campaign Contribution Contract." *American Journal of Political Science* 40 (3): 872-904.
- McCubbins, Mathew D., and Thomas Schwartz. 1984. "Congressional Oversight Overlooked: Police Patrols versus Fire Alarms." *American Journal of Political Science* 28 (1): 165-179.
- McCubbins, Mathew D., Roger G. Noll, and Barry R. Weingast. 1987. Administrative procedures as instruments of political control. *Journal of Law, Economics, and Organization* 3: 243-277.
- Miller, Gary J., and Terry M. Moe. 1983. "Bureaucrats, Legislators, and the Size of Government." *American Political Science Review* 77 (2): 297-322.
- Moe, Terry M. 1985. "The politicized presidency." In *The new direction in American politics*, edited by John Chubb and Paul Peterson. Washington, DC: Brookings Institution, pp. 235-71.
- Moe, Terry M. 1987. "An Assessment of the Positive Theory of Congressional Dominance." *Legislative Studies Quarterly* 12 (4): 475-520.
- Moe, Terry M. 1989. "The politics of bureaucratic structure." In *Can the government govern?*, edited by John E. Chubb and Paul E. Peterson. Washington, DC: Brookings Institution, pp. 267-329.
- Moe, Terry M. 1993. "Presidents, Institutions, and Theory." In *Researching the Presidency: Vital Questions, New Approaches*, George C. Edwards III, John H. Kessel, and Bert A. Rockman, eds. Pittsburgh: University of Pittsburgh Press.
- Moe, Terry M. 1997. "The Positive Theory of Public Bureaucracy." In *Perspectives on Public Choice: A Handbook*, Dennis Mueller, ed. Cambridge, UK: Cambridge University Press.
- Moe, Terry M. 2006. "Political Control and the Power of the Agent." *Journal of Law, Economics, and Organization* 22 (1): 1-29.
- Moe, Terry M., and William G. Howell. 1999. The presidential power of unilateral action. *Journal of Law, Economics, and Organization* 15: 132-79.
- Moraski, Bryon J., and Charles R. Shipan. 1999. "The Politics of Supreme Court Nominations: A Theory of Institutional Constraints and Choices." *American Journal of Political Science* 43 (4): 1069-1095.

- Moynihan, Donald P., and Alasdair S. Roberts. 2010. "The Triumph of Loyalty Over Competence: The Bush Administration and the Exhaustion of the Politicized Presidency." *Public Administration Review* 70 (4):572-581.
- Mutz, Diana C. 1995. "Effect of Horse-Race Coverage on Campaign-Coffers: Strategic Contributing in Presidential Primaries." *Journal of Politics* 57 (4): 1015-1042.
- Niskanen, William A. 1975. "Bureaucrats and Politicians." *Journal of Law and Economics* 18 (3): 617-643.
- Nixon, David C. 2004. "Separation of Powers and Appointee Ideology." *Journal of Law, Economics, and Organization* 20 (2): 438-457.
- Nokken, Timothy P., and Brian R. Sala. 2000. "Confirmation Dynamics: A Model of Presidential Appointments to Independent Agencies." *Journal of Theoretical Politics* 12: 91-112.
- Patty, John W. 2009. "The Politics of Biased Information." *Journal of Politics* 71: 385-97.
- Poole, Keith T. 1998. "Recovering a Basic Space From a Set of Issue Scales." *American Journal of Political Science* 42 (3): 954-993.
- Radin, Beryl. A. 2000. The Government Performance and Results Act and the tradition of government management reform: Square pegs in round holes? *Journal of Public Administration Research and Theory* 10:111-35.
- Rakove, Jack. 1997. *Original Meanings: Politics and Ideas in the Making of the Constitution*. New York: Vintage.
- Skowronek, Stephen. 1982. *Building a New American State: The Expansion of National Administrative Capacities, 1877-1920*. Cambridge: Cambridge University Press.
- Snyder, Susan, and Barry R. Weingast. 2000. "The American System of Shared Powers: The President, Congress, and the NLRB." *Journal of Law, Economics, and Organization* 16: 269-305.
- Sullivan, Terry. 2001. "Repetitiveness, Redundancy, and Reform: Rationalizing the Inquiry of Presidential Appointees." In *Innocent Until Nominated: the Breakdown of the Presidential Appointments Process*, ed. G. Calvin Mackenzie. Washington, DC: Brookings.
- Sullivan, Terry. 2002. "Already Buried and Sinking Fast: Presidential Nominees and Inquiry." *PS: Political Science and Politics* 35 (1): 31-33.
- Spriggs, II, James F. 1996. The Supreme Court and Federal Administrative Agencies: A Resource-Based Theory and Analysis of Judicial Impact. *American Journal of Political Science* 40 (4): 1122-1151.

Stewart III, Charles, and Jonathan Woon. 2012. *Congressional Committee Assignments, 103rd to 112th Congresses, 1993--2011: Senate*. <http://web.mit.edu/17.251/www/data_page.html#2>

ter Braak, C. J. F. 1985. "Correspondence analysis of incidence and abundance data: properties in terms of a unimodal response model." *Biometrics* 41: 859-873.

Tong, Lorraine H. 2003. *Senate Confirmation Process: An Overview*. *CRS Report for Congress RS20986*. Washington, D.C.: Congressional Research Service.

Waller, Christopher J. 1992. A bargaining model of partisan appointments to the central bank. *Journal of Monetary Economics* 29:411-28.

Weingast, Barry and Mark J. Moran. 1983. "Bureaucratic Discretion or Congressional Control? Regulatory Policymaking by the Federal Trade Commission." *Journal of Political Economy* 91 (5):765-800.

Wilson, James Q. 1989. *Bureaucracy: What Government Agencies Do and Why they Do It*. New York: Basic Books.

Wilson, Woodrow. 1887. "The Study of Administration." *Political Science Quarterly* 2 (2): 197-222.

Table 1: Presidential Appointees are More Ideologically Extreme when Senate Confirmation is Not Required

		<i>Dependent Variable: Ideology of Nominee (Higher = More Conservative)</i>			
<i>Presidential Administration:</i>		Clinton Administration Appointees (1993-2000)		Bush Administration Appointees (2001-2008)	
		Model (1)	Model (2)	Model (1)	Model (2)
Position Does Not Require Senate Confirmation		-0.218*** (0.025)	-0.175*** (0.033)	0.343*** (0.024)	0.198*** (0.030)
Agency Fixed Effects Included		No	Yes	No	Yes
Constant		-0.697*** (0.013)	-0.770 (0.575)	0.528*** (0.013)	0.134 (0.200)
	<i>N</i>	2,914	2,914	3,540	3,540
	<i>R-squared</i>	0.02	0.16	0.05	0.19
<i>Total Appointees to Senate-Confirmed Positions:</i>		2,172		2,442	
<i>Total Appointees to Schedule C Positions:</i>		743		1099	
<i>Avg. Ideology of Appointees to Senate-Confirmed Appointees:</i>		-0.697		0.528	
<i>Avg. Ideology of Appointees to Schedule C Positions:</i>		-0.915		0.871	

*** $p < .001$; ** $p < .01$; * $p < .05$ (two-tailed). Standard errors in parentheses.

Note: Data include presidential appointees who were nominated either to a Senate-confirmed position (*including Recess Appointees*) or to a Schedule C (non-confirmed) position. Only nominees who have made at least one federal campaign contribution (and therefore have an estimated ideology) are included.

Table 2: The Effect of Nominee and Committee Ideology on Senate Confirmation of Presidential Nominees

<i>Dependent Variable: Nominee was Confirmed by the Senate (Logit Model)</i>						
<i>Presidential Administration:</i>	Clinton Administration Nominees (1993-2000)			Bush Administration Nominees (2001-2008)		
	Model (1)	Model (2)	Model (3)	Model (4)	Model (5)	Model (6)
Ideology of Nominee (Higher = More Conservative)	0.153 ⁺ (0.090)	0.167 ⁺ (0.092)	----	-0.312*** (0.079)	-0.336*** (0.063)	----
Ideology of Chair of Senate Committee with Jurisdiction	----	-0.585*** (0.086)	----	----	0.330*** (0.079)	----
Ideological Distance (Absolute Value) between Nominee and Senate Committee Chair	----	----	-0.507 *** (0.082)	----	----	-0.215* (0.069)
Agency Fixed Effects Included	Yes	Yes	Yes	Yes	Yes	Yes
Constant	17.787 (3956.182)	17.541 (3956.180)	17.830 (3956.184)	2.280* (1.059)	2.338* (1.061)	2.393* (1.057)
<i>N</i>	2,353	2,353	2,353	2,550	2,550	2,550
<i>AIC</i>	2414.3	2366.6	2377.4	2820.5	2793.9	2827.6
<i>Nominees Confirmed:</i>	1,836 Confirmed; 613 Not Confirmed			1,901 Confirmed; 746 Not Confirmed		

*** $p < .001$; ** $p < .01$; * $p < .05$; + $p < 0.10$ (two-tailed). Standard errors in parentheses.

Note: Data include presidential nominations submitted to the Senate for advice and consent; *recess appointments are therefore excluded*. Nominations that were "Not Confirmed" include instances where the Senate rejects, declines to consider, or returns the nomination to the President under Senate Rule XXXI, paragraph 6. Only nominees who have made at least one federal campaign contribution (and therefore have an estimated ideology) are included.

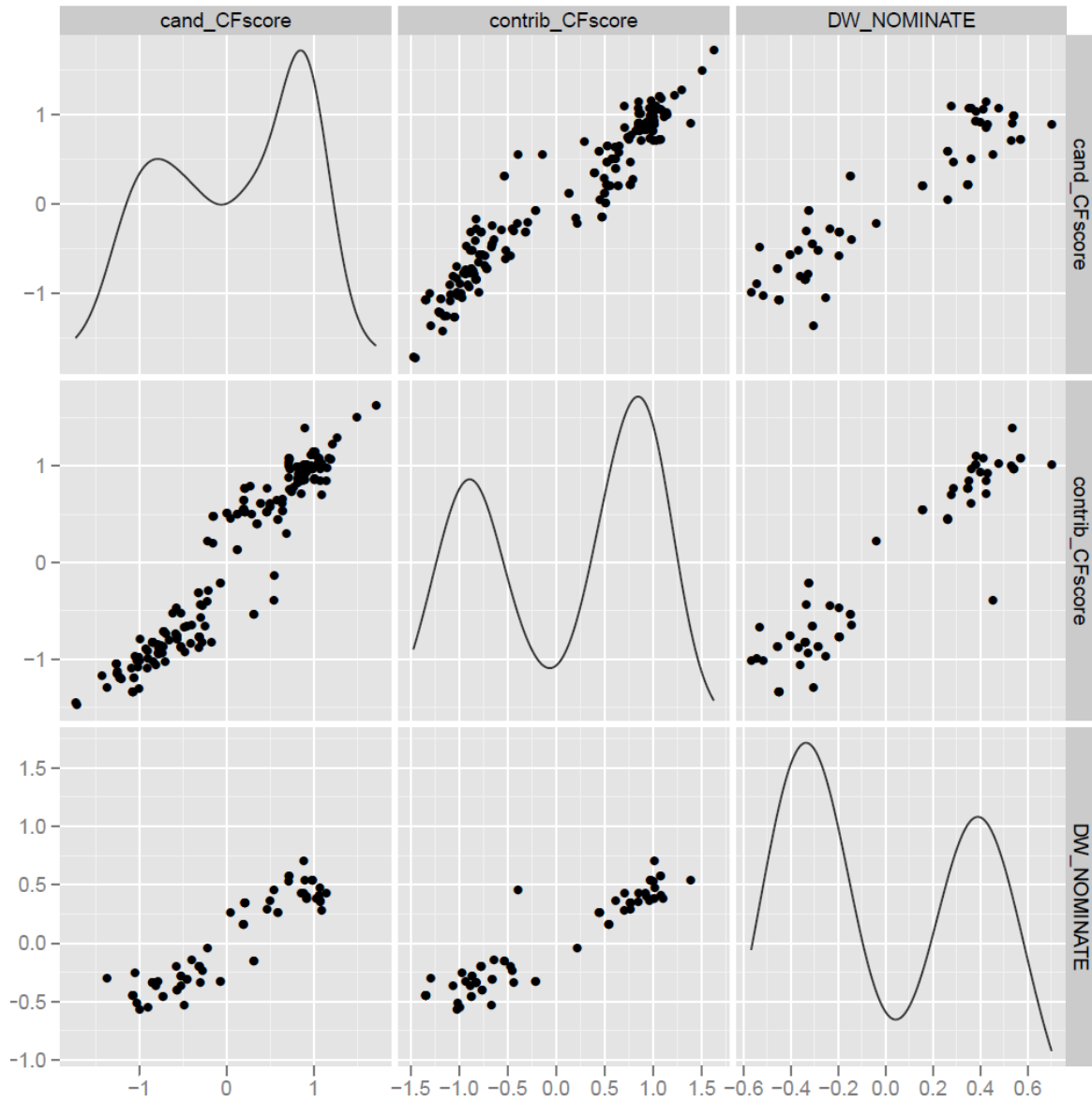
Table 3: Presidential Nominations are More Ideologically Extreme when the Senate is in Recess

<i>Dependent Variable: Ideology of Nominee (Higher = More Conservative)</i>		
<i>Presidential Administration:</i>	Clinton Administration Nominees (1993-2000)	Bush Administration Nominees (2001-2008)
	Model (1)	Model (1)
Senate Recess Nomination	-0.098 (0.063)	0.232*** (0.070)
Agency Fixed Effects Included	Yes	Yes
Constant	-0.770 (0.614)	0.244 (0.196)
<i>N</i>	2,604	2,928
<i>R-squared</i>	0.13	0.13
<i>Total Nominations During Non-Recess Periods:</i>	2,497	2,820
<i>Total Nominations During Senate Recess Periods:</i>	108	109
<i>Avg. Ideology of Non-Recess Nominees:</i>	-0.676	0.538
<i>Avg. Ideology of Recess Nominees:</i>	-0.803	0.653

*** $p < .001$; ** $p < .01$; * $p < .05$ (two-tailed). Standard errors in parentheses.

Note: Data include presidential appointees who were nominated to positions normally requiring Senate confirmation. Nominees who were ultimately not confirmed by the Senate are included. Only nominees who have made at least one federal campaign contribution (and therefore have an estimated ideology) are included.

Figure 1: Bureaucratic Appointee Ideal Points Estimated Using Data on Campaign Contributions, Campaign Receipts, and Voting Records



Note: Estimates from campaign contributions are labeled “contrib_CFScore,” estimate from campaign receipts are labeled cand_CFScore, and voting records are used in the calculation of DW-Nominate scores.

Figure 2: Ideology of Presidential Nominees

**Presidential Nominations to Senate-Confirmed Positions,
1987-2012**

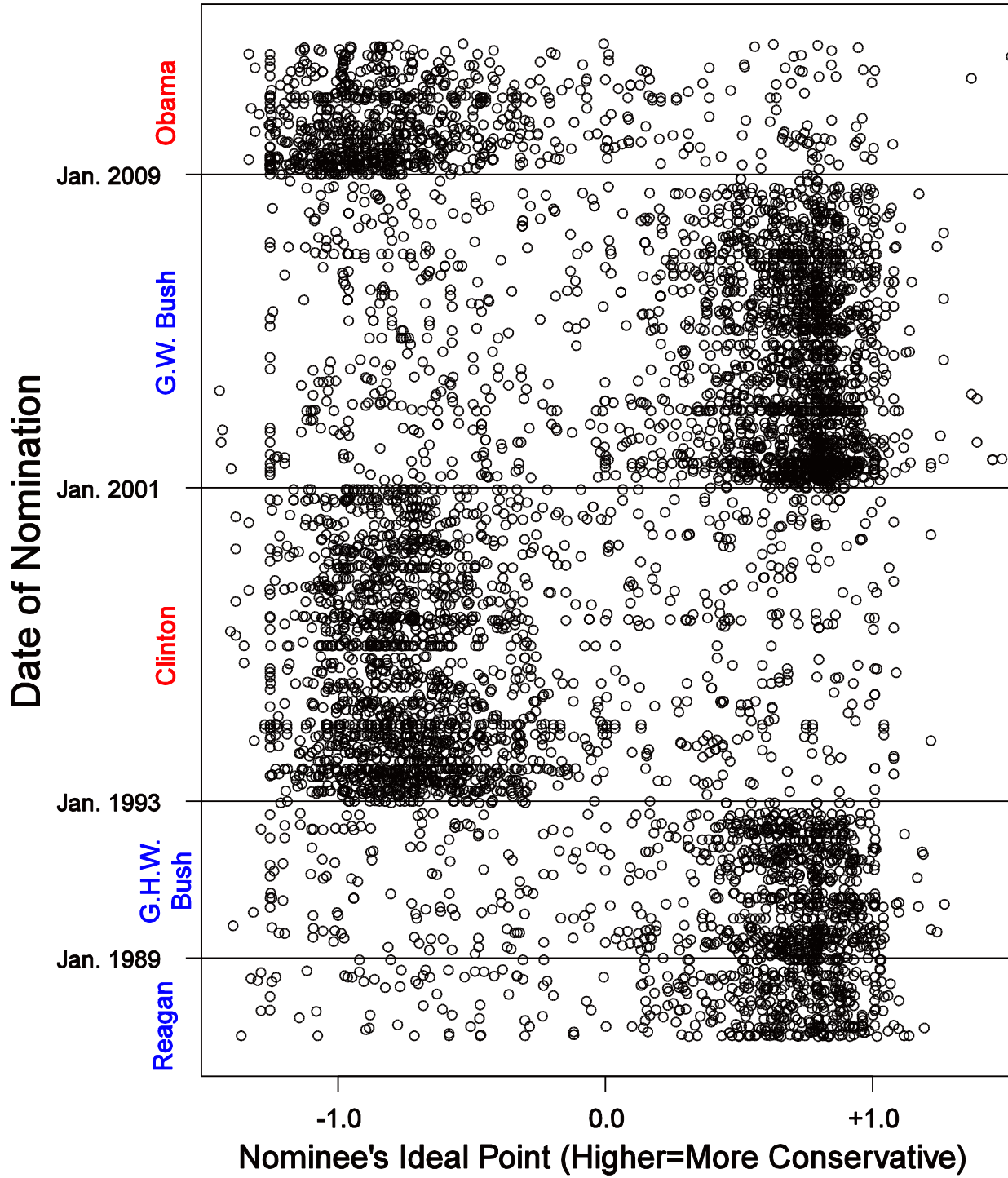


Figure 3: Success of Nominees to Senate-Confirmed Positions by Ideology (Clinton)

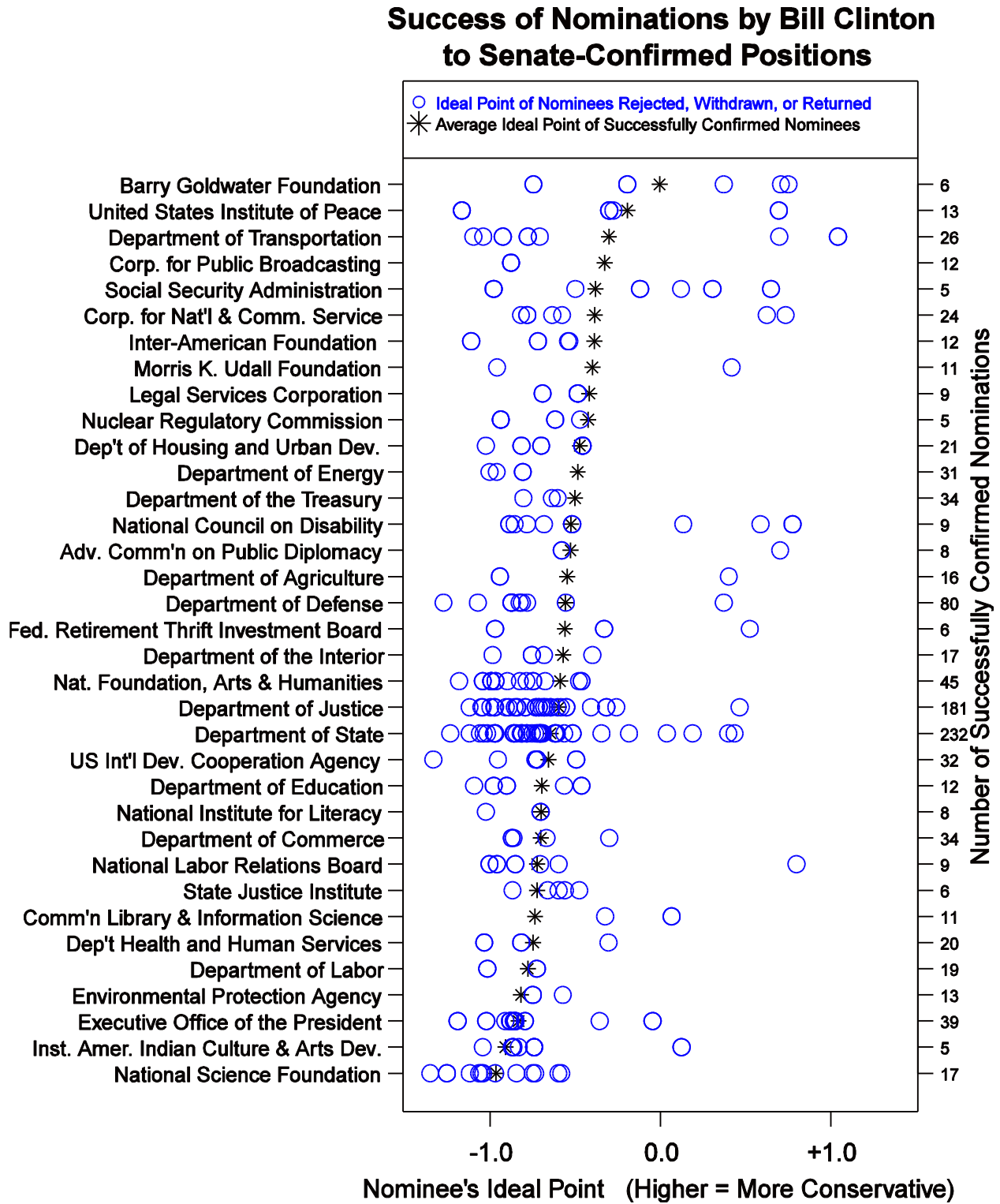


Figure 4: Success of Nominations to Senate Confirmed Position by Ideology (G.W. Bush)

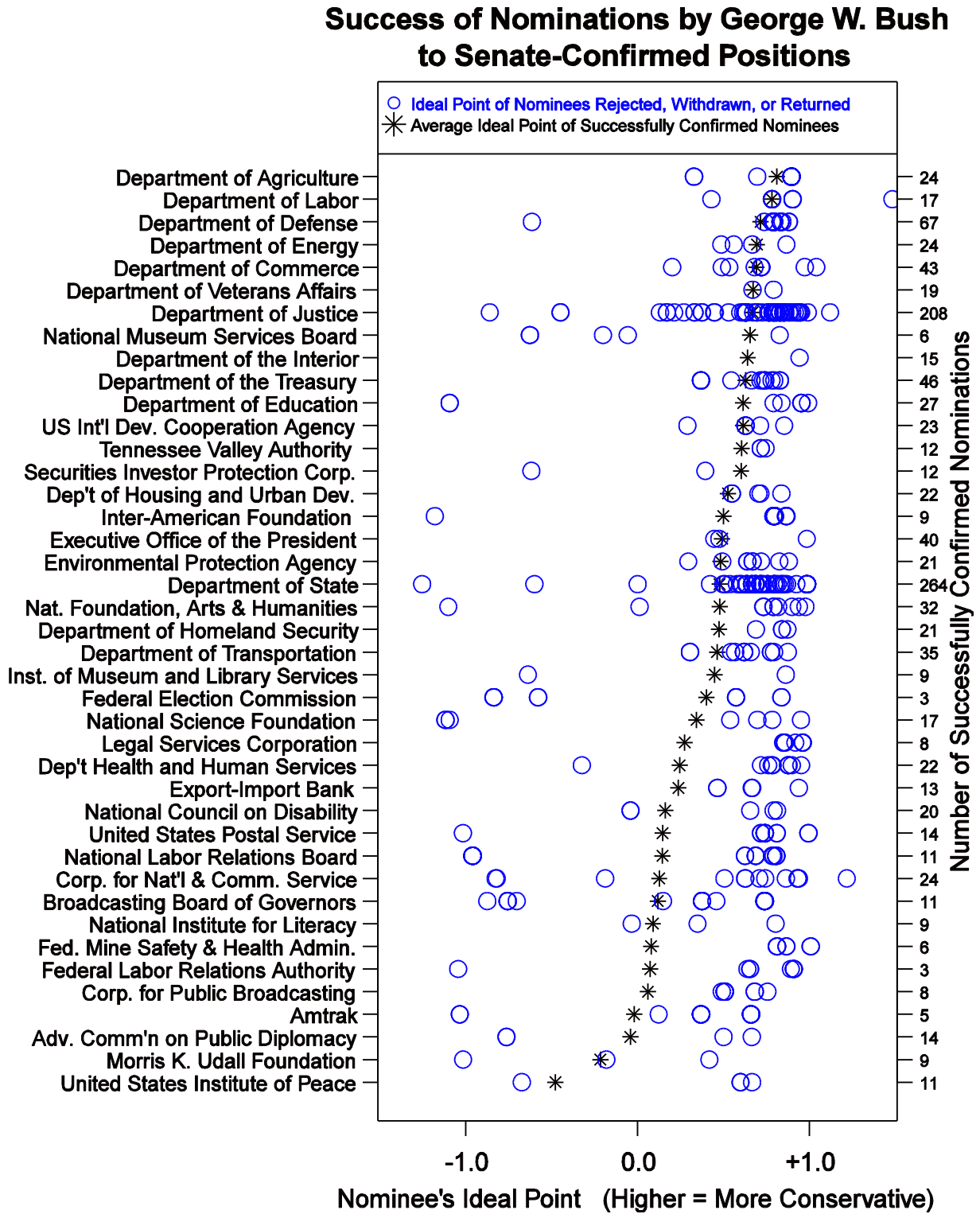
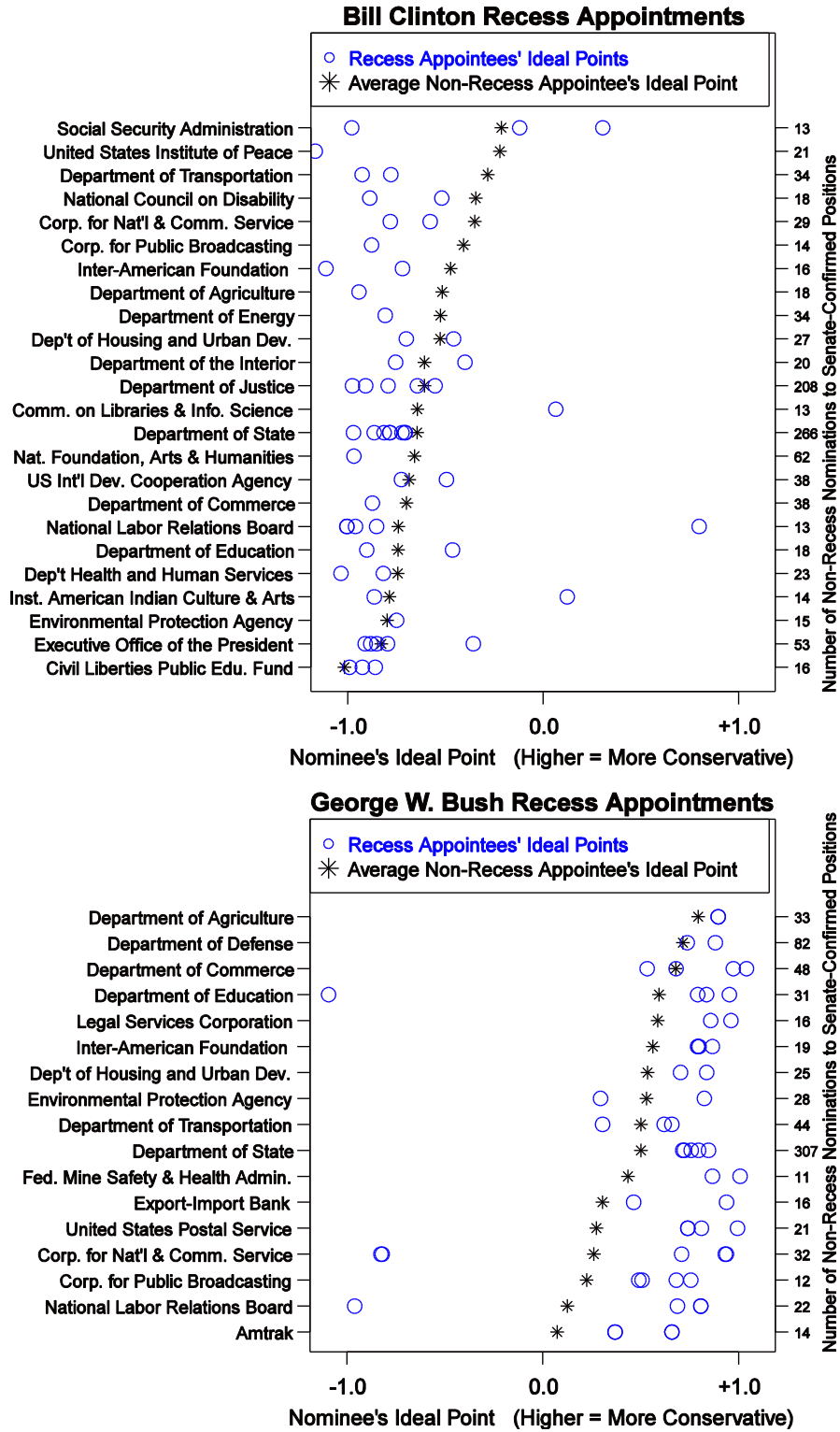


Figure 5: Recess Appointees Are More Ideologically Extreme than Non-Recess Appointees



Note: Plots include agencies to which the President made at least 10 non-recess appointments to Senate-confirmed positions. Recess appointments include only positions that normally require Senate confirmation.

Appendix A: Comparing CFScores to Other Measures of Bureaucratic Ideology

In this section of the appendix, we compare our ideal point estimates with those used in recent studies conducted by Bertelli and Grose (2009, 2011) and Clinton et al. (2012). Bertelli and Grose (2009, 2011) develop ideal point estimates by assessing the public pronouncements of high-level agency officials. Clinton et al. (2012) produce measures from a survey administered to agency executives. By comparing our estimates with these past approaches, we establish the face validity and utility of our estimates, while highlighting advantages of our estimation approach.

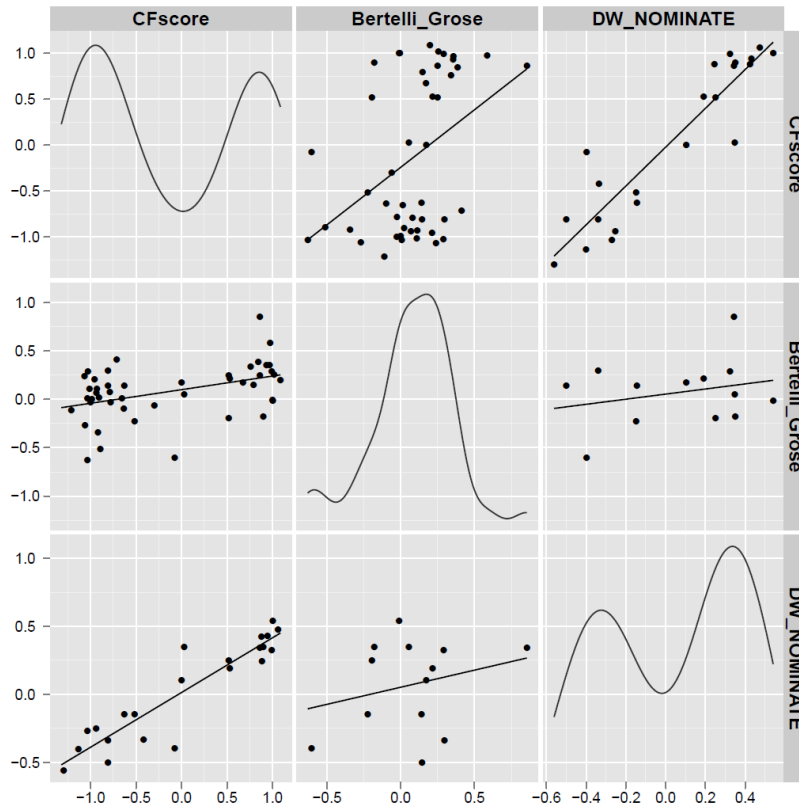
Comparison with Estimates from Bertelli and Grose (2009, 2011). Figure A1 compares the appointee CFScores, the Bertelli and Grose (BG) scores, and DW-NOMINATE scores.⁵ The CFScores weakly correlate with the BG measures ($r = 0.41$, $t=3.07$). However, the two sets of measures produce different pictures of cabinet member ideology. Whereas BG scores are distributed unimodally with substantial overlap between members of the Democratic and Republican parties, CFScores are bimodally distributed with far less partisan overlap. Thus, our measures appear to capture the commonly noted partisan polarization occurring among political elites.

Also, as mentioned in the main text, our method assigns an ideal point to prominent cabinet members that is more consistent with their partisan affiliation. For example, Republican appointees John Ashcroft and Lynn Martin locate to the left of the majority of Democratic appointees when using BG scores, whereas our estimates indicate that they have right leaning ideologies. Similarly, Clinton appointees Bill Richardson and Andrew Cuomo locate to the right of a majority of Republican appointees when using BG scores, whereas our method indicates they lean to the left. As a further means to compare our estimates to those of Bertelli and Grose (2009, 2011), we follow Nixon (2004) and examine how CF scores and BG scores correlate with

⁵ DW-NOMINATE scores are only available for appointees that have also served in Congress.

the DW-NOMINATE scores estimated for cabinet members who also served in Congress. Such a comparison demonstrates the external validity of CFscores. The correlation between the CFscores and DW-NOMINATE scores of cabinet members who served in Congress is $r=0.92$ ($t=10.64$); BG scores correlate with DW-NOMINATE scores at $r = 0.26$ ($t = 0.88$).

Appendix Figure A1 – CF, BG, and DW-NOMINATE Scores



Comparison with Clinton et al. (2012). As it is not possible to compare our individual level estimates directly with the Clinton et al. (2012) estimates, we rely on aggregate-level comparisons for each presidential administration's appointees. Figure A3 plots the distribution of executive appointees alongside Republican and Democratic members of Congress for each of the five most recent presidential administrations. This figure shows that the distribution of appointees' ideologies, under a Democratic president, rest to the left of the president's party in Congress. Under a Republican president, the ideological distribution of appointees lies to the

right of the president's party in Congress. These distributions, which result from our ideal point estimates, show greater ideological extremism among appointees than is shown by the measures of Clinton et al. (2012). We believe this pattern reflects the politicization of the bureaucracy that scholars have noted in recent administrations (Singer 2005, Moynihan and Roberts 2010).

Appendix Figure A2 –BG estimates versus CFscores of Cabinet Member Ideology

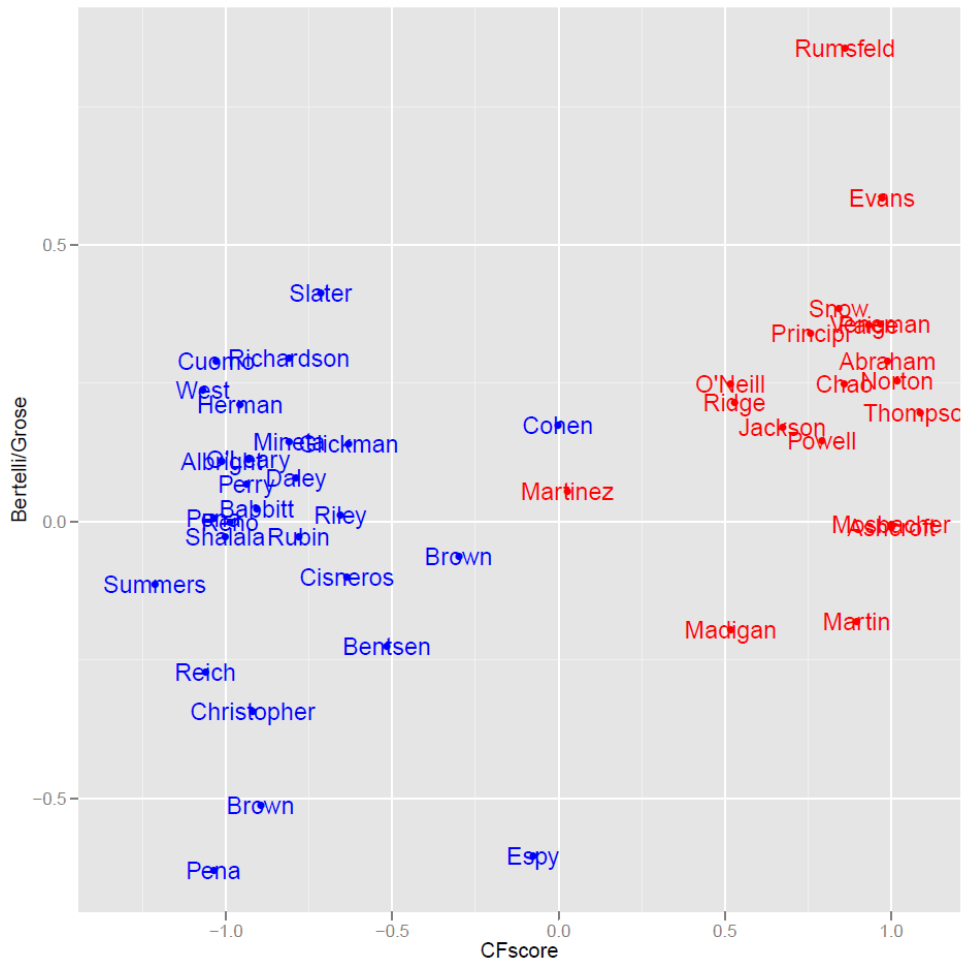
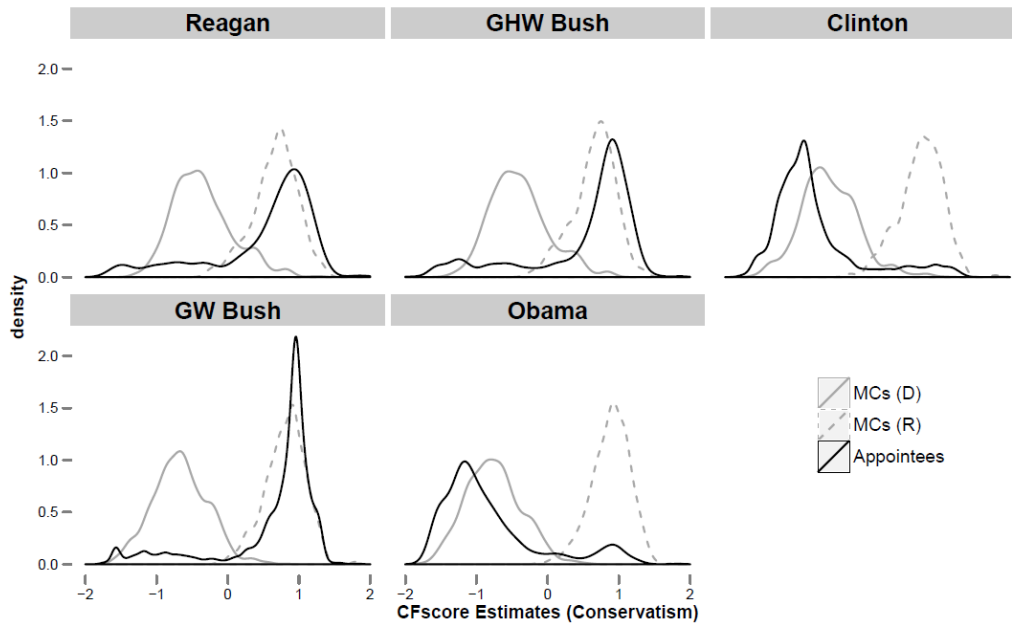


Figure A3 – Ideological Distributions of Appointees and Members of Congress



Note: Partisan distributions includes members of the House and Senate

Appendix B: Between-Sets Identification

Similar to other scaling methods, correspondence analysis suffers from a between-set identification problem (Carroll et al. 1986; Greenacre 2009; Le Roux and Rouanet 2010).⁶ The problem arises when making direct distance comparisons between row and column coordinates. The axes for row and column points are made to coincide so that they share common dimensionality, but not a common scale. The contributor ideal points can be both shifted and stretched with respect to the recipient ideal points. As a result, $|\delta_j - \theta_i|$ is not a genuine distance

⁶ Variants of the between-sets identification problem are common in the literature on ideological measurement. In roll call analysis, for example, the cutpoints are identified with respect to the legislator ideal points but the positions of the yea and nay outcomes are not. Issues arising from the problem have been addressed in the context of ideological scaling of political texts (Laver et. al. 2003; Benoit and Laver 2003; Lowe 2008).

between the points.⁷ The typical approach to this problem is to standardize both sets of coordinates to have weighted means of zero and weighted standard deviations of one. Since the ideological distance between the bureaucracy and the president, or the bureaucracy and Congress, constitute key variables of interest, resolving this problem is a high priority. Our proposed solution leverages the richness of campaign finance data. Most candidates for office are also active political donors; this phenomenon gives contribution data the unusual property of having the vast majority of column observations also appear in the database as row observations. Given the set of donor/candidate ideal point pairs, we regress donor ideal points on to corresponding candidate ideal points using an error-in-variable specification to adjust for attenuation bias (a.k.a. “regression dilution”). We then use the estimated regression coefficients to project the contributors onto the same space as recipients.

Appendix C: Aggregate Agency Ideal Point Estimates

In the subsequent pages of this appendix of supplementary online material, we present figures that display aggregate estimates of agency political ideology. In each figure, the average of appointees’ ideal points—in each given agency—is displayed on the rightmost margin of the figure. The main field of the plot presents the data from which those aggregate estimates are produced, and the left margin names the agency with which the aggregate estimate is associated.

The individual level ideology estimates for each appointee are also reported in the replication data of this manuscript.

⁷ To see this, consider the transition formula for contributor ideal points: $\theta_i = \frac{\sum_j \delta_j \gamma_{ij}}{\sum_j \gamma_{ij}}$. The weighted averaging shrinks donor ideal points towards the center of the space. Left unadjusted, the donors will artificially appear more centrist than the candidates.

Figure C1

**Ideology of Presidential Appointees:
G.H.W. Bush Presidency, 1989-1992**

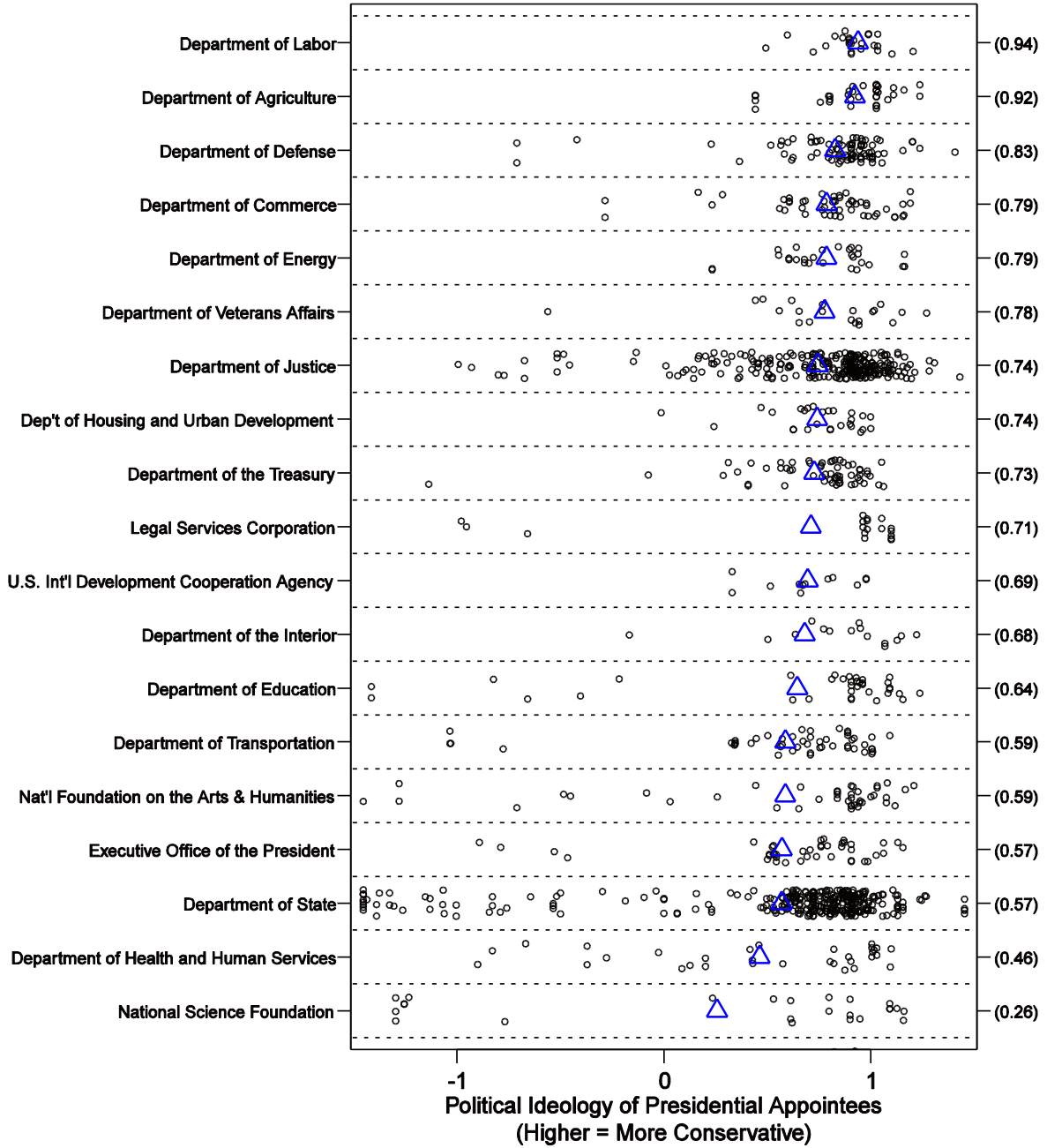


Figure C2

**Ideology of Presidential Appointees
Bill Clinton Presidency, 1993-2000**

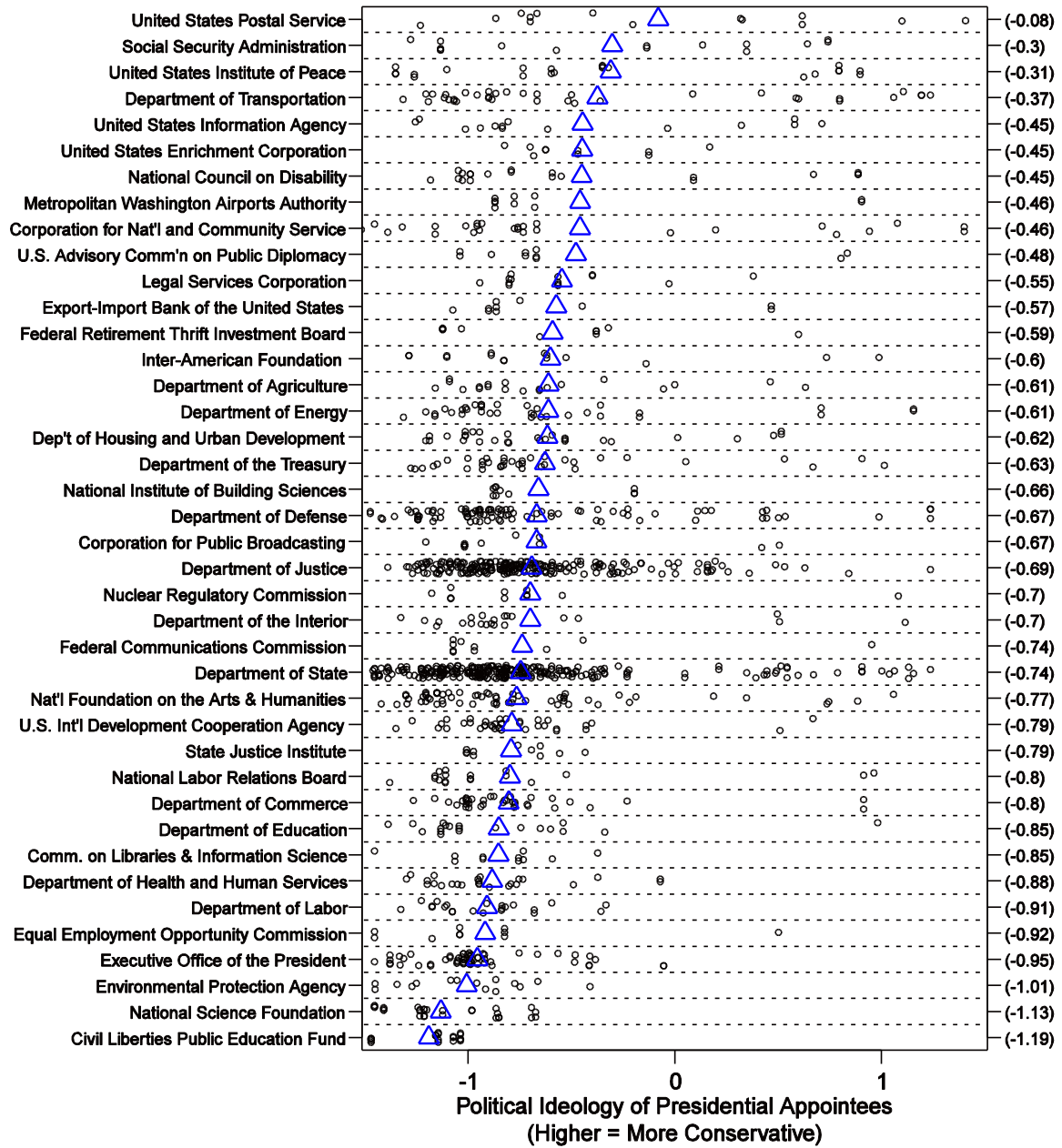


Figure C3
Ideology of Presidential Appointees:
G.W. Bush Presidency, 2001-2008

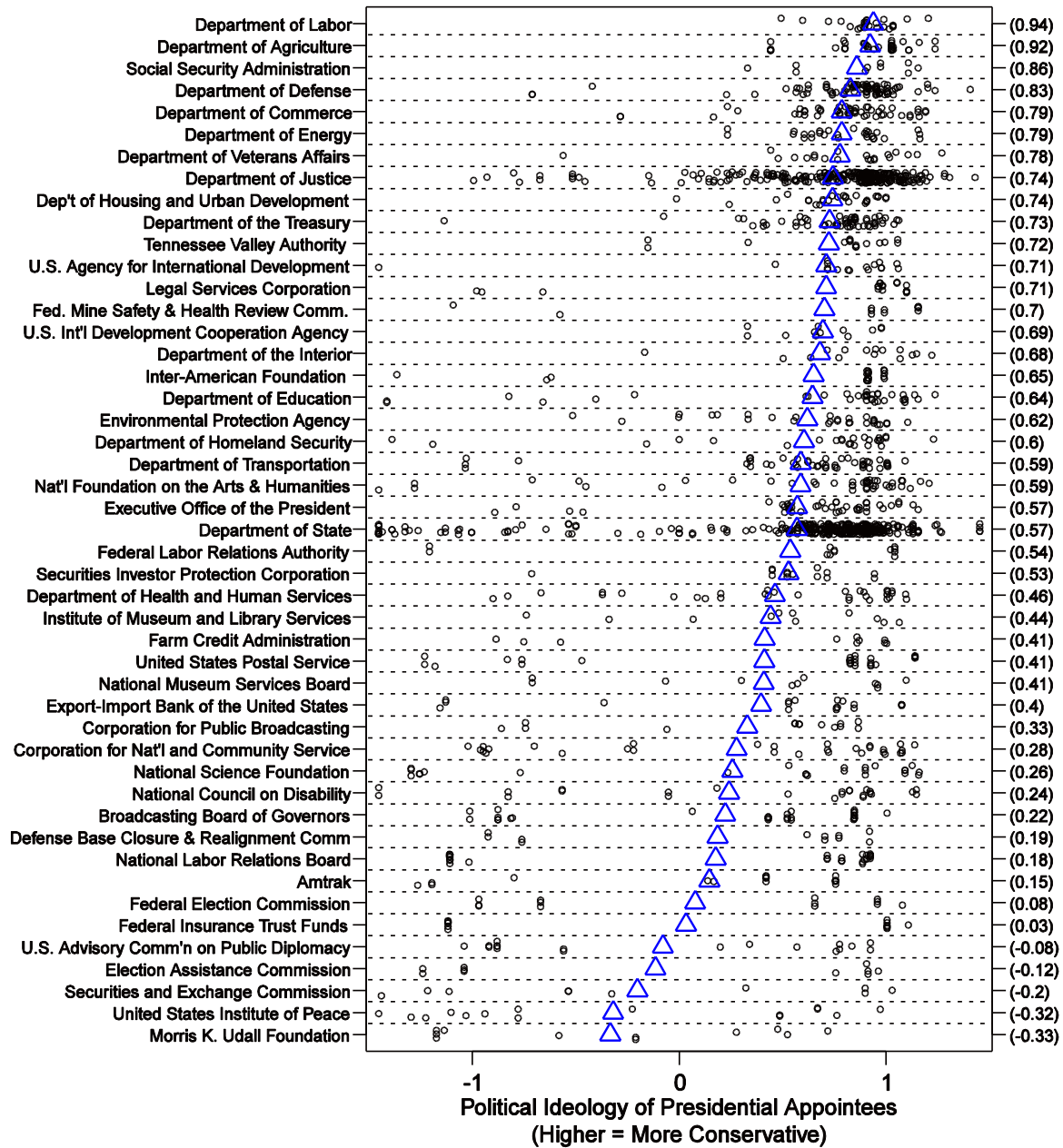


Figure C4

**Ideology of Presidential Appointees
Barack Obama Presidency, 2009-2012**

